

POLICY C-22

GRIEVANCE PROCEDURES FOR FILING, PROCESSING, AND RESOLUTING ALLEGED DISCRIMINATION COMPLAINTS (Students and Employees)

The Mid-Del Public School District No. I-52 does not discriminate on the basis of race, color, national origin, sex, pregnancy, gender, gender expression or identity, religion, veteran status, sexual orientation, disability, age, or genetic information in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Mid-Del Schools Assistant Superintendent of Teaching & Learning
Address: 7217 S.E. 15th Street, Midwest City, OK 73110
Phone: 405-737-4461 X1225 Email Address: kdunn@mid-del.net

I. Definitions

- A. Compliance Officer: An employee designated by the Superintendent to coordinate compliance efforts with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, and the Age Discrimination Act of 1975 and to investigate complaints. The Assistant Superintendent of Teaching & Learning Federal Programs is the designated Compliance Officer for Mid-Del Schools.
- B. Complaint: A written complaint alleging any policy, procedure, or practice of the District which discriminates on the basis of race, color, national origin, sex, age, disability, veteran status or age.
- C. Grievant: A student or employee of the Midwest City-Del City School District or any other person who submits a complaint alleging discrimination based on race, color, national origin, sex, disability, veteran status or age.
- D. Respondent: The person alleged to be responsible for the violation alleged in the complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.
- E. Day: Day means a working date; the calculation of days in processing the complaint shall exclude Saturdays, Sundays, and holidays.

II. Pre-Filing Procedures

- A. Prior to the filing of a written complaint, the Grievant is encouraged to visit with his/her immediate supervisor or the site principal, and reasonable efforts should be made to resolve the problem or complaint.
- B. The following procedure is outlined as an Early Complaint Resolution (ECR) process which can be addressed when a parent/guardian feels that a conflict exists between their child and the school, school personnel or school policy and such conflict is based on feelings related to race, national origin, disability, age, or gender.

Step 1 -- Conference conducted between appropriate parties. Parent/Guardian/Teacher Conference.

If Parent/Guardian/Teacher conference does not resolve the situation, then proceed to Parent/Guardian/Site Administrator Conference.

Step 2 -- Appeal is made to the Regional Directors for Early Complaint Resolution. If the Director deems that the situation warrants ECR, then the process will be instituted.

Step 3 -- Process

A committee of three people consisting of an administrator, teacher, and independent party shall convene to hear the complaint.

After hearing from the affected parties, the committee shall make a recommendation to the Director as to what the resolution should be in terms of staying or modifying decisions related to the situation.

The Director will render a decision based on the committee recommendation, but in no way is the committee recommendation binding.

Note: For students identified as "disabled" under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, the Mid-Del District will follow state and federal laws and regulations.

III. Filing and Processing Discrimination Complaints

- A. If the Grievant desires to proceed with a complaint within thirty (30) days of an alleged violation, the Grievant shall submit a written complaint to the Compliance Officer. The complaint shall state the Grievant's name, the nature of the alleged violation, the date of the alleged violation, the name of the person(s) responsible, and the requested action.
- B. Within ten (10) days of receiving the complaint, the Compliance Officer shall notify the Respondent of the complaint.
- C. Within ten (10) days of notification, the Respondent shall submit to the Compliance Officer an answer which shall:
 1. Confirm or deny facts;
 2. Indicate acceptance or rejection of Grievant's requested action; and/or
 3. Outline alternatives
- D. Within ten (10) days after receiving Respondent's answer, the Compliance Officer shall schedule a hearing with the Grievant and the Respondent.
- E. Within ten (10) days of the hearing, the Compliance Officer shall render a written decision and shall provide a copy of the written decision to both the Grievant and the Respondent.
- F. Within ten (10) days of receipt of the Compliance Officer's decision, if either the Grievant or the Respondent is not satisfied with the decision of the Compliance Officer, either may submit a written request to the Compliance Officer for a hearing before the Superintendent.
- G. Within ten (10) days of receiving a request for a hearing before the Superintendent, the Compliance Officer shall notify the Superintendent of the request and schedule a hearing. Such hearing shall be conducted within thirty (30) days of the date on which the Compliance Officer received notification of the request for a hearing.
- H. Within ten (10) days of conducting the hearing, the Superintendent shall render a written decision on the complaint.
- I. Within ten (10) days of receipt of the Superintendent's decision, if either the Grievant or Respondent is not satisfied with the decision of the Superintendent, either may submit a written request to the Compliance Officer for a hearing before the Board.
- J. Within ten (10) days of receiving a request for a hearing before the Board, the Compliance Officer shall schedule a hearing conducted by the Board. Such hearing shall be conducted within thirty (30) days of the date on which the Compliance Officer receives notification of the request for a hearing.
- K. Within ten (10) days of conducting the hearing, the Board shall render a written decision on the complaint; the decision of the Board shall be final.

IV. General Provisions

- A. Extension of time: Any time limits set by those procedures may be extended by mutual consent of parties involved. The

total number of days from date that complaint is filed, until complaint is resolved, shall be no more than 180 days.

B. Confidentiality of Records: All records, complaints, notes, documents, and statements made during or related to allegations of discrimination shall be maintained on a confidential basis by the Compliance Officer, and no information concerning any complaint shall be documented in an employee's personnel file; however, in the event official proceedings relating to such allegations are initiated by a party or the District, such records may become public in accordance with law. Information pertaining to complaints shall be maintained on file for three years after resolution of the complaint.

C. Non-Retaliation Provision: No person filing a complaint nor anyone participating in the complaint process under this policy will be subjected to any form of reprisal, retaliation, intimidation, or harassment because he/she has utilized this complaint procedure in good faith or because he/she has in any way participated in any investigation or hearing involving or related to any complaint filed under this policy. The School District will discipline or take appropriate action against any employee, agent, or representative of the District who is determined to have engaged in such retaliatory behavior.

Adopted: September, 1990

Revised: July 13, 2015