

Grievance Procedure for Equity Issues

The Sussex County Charter School for Technology prohibits discrimination in all aspects of employment opportunity and educational programs on the basis of race, creed, color, national origin, religion, sex, age or handicap. Employees or students who feel that they have been discriminated against on any of the bases previously identified should follow the outlined grievance procedures.

Definitions

1. "Days" means school attendance days.
2. A "grievance" is a complaint that alleges action by the Sussex County Charter School for Technology in violation of Title IX, Section 504 of the Rehabilitation Act, or Title VI.
3. "Grievant" is the person initiating the complaint.
4. "Responsible Official" indicates the employee designated by the School to coordinate its efforts to comply with and carry out its responsibilities under the various pieces of legislation.
 - Title IX – Title IX Officer
 - Section 504 – 504 Officer
 - Title VI/employment practices – Affirmative Action Officer
5. "Student" means a person enrolled in the school.
6. "Employee" means a person employed by the school
7. "Administrator" means the principal or his/her designee.

All grievances brought by a student or by another person on a student's behalf, or by an employee shall be handled in the following manner:

Step 1 – School Administrator

Within twenty (20) days of the time that the grievant knows, or reasonably should know about the grievance the grievant shall present the grievance orally to the administrator. Within five (5) days after the grievance is presented, the administrator shall orally answer the grievance. Information shall be given to the grievant regarding the procedures to follow if the oral answer from the administrator proves unsatisfactory.

Step 2- Responsible Official

- (a) If the grievance is not resolved orally, within five (5) days of the oral answer, the grievant shall state his/her grievance in writing on the attached form. When completed and signed, the form should be submitted to the administrator for his/her response. The administrator shall file a copy of the completed form to the grievant, and forward one (1) copy to the designated responsible official.
- (b) The written grievance shall:
 1. Name the student involved and/or the person bringing the grievance on behalf of the student;
 2. State the situation or conditions giving rise to the perceived discrimination;
 3. Identify the specific provisions of the legislation or the implementing regulations alleged to have been violated; and
 4. Indicate the specific relief sought.
- (c) Upon receiving the completed grievance form, the responsible official shall within ten (10) days of receiving the written complaint, give an answer in writing to the grievant.

Step 3 – Board of Trustees

- (a) If the grievance is not resolved in Step 2, the grievant may then appeal to the school's Board of Trustees. Within five (5) days of receiving the responsible official's answer, the grievant may submit his/her grievance form, along with any written response to that complaint, to the Board of Trustees.
- (b) The Board of Trustees shall hear the grievance within twenty (20) days after receiving any properly filed written complaint.
- (c) The grievant shall be given a full and fair opportunity to present evidence related to the facts and issues raised by the grievance. The Board of Trustees and/or a designee, along with other school system representatives and/or counsel shall attend the hearing. The grievant may also choose to be represented by counsel at such a hearing. The length of the hearing will be mutually determined by the parties involved.

The decision of the Board of Trustees is final at the local level, but a complain may be filed with the Office for Civil Rights, Washington D.C. The exhaustion of this local procedure is not a prerequisite for filing such complaint.

Failure to Observe Time Limits

In the event the grievant fails to exercise the options provided under the grievance procedure, or to abide by the time limits established for each step, the grievance shall be declared out of order by the school official involved. The matter shall then be settled in accordance with the system's last answer. If the event the school fails to give its answer at any step within the time limits prescribed, the grievant shall have the right to proceed immediately to the next step.

Effect of Settlement

Any settlement of a grievance shall be applicable to that grievance only and shall not be considered binding authority for the disposition of any other grievance.

Statement of Equity Grievance

Date Submitted: _____

Employee/Student/Person's name filing grievance _____

1. Date action resulting in grievance occurred _____

2. Statement of grievance _____

3. Describe the specific provisions of the law or regulations alleged to have been violated

4. Identify the specific relief sought _____

5. Administrator's response _____

Grievant's Signature/Date

Administrator's Signature/Date

6. Date received by responsible official _____

Responsible official's response _____

Responsible Official's Signature/Date

7. Date received by Board of Trustees _____

Board of Trustees' response _____

President, Board of Trustee Signature/Date