

Grievances by employees, students or other persons alleging illegal discrimination by this district or any of its employees in any of the district's public facilities, programs or activities based on race, sex, national origin, color, age (persons forty (40) years of age or older), religion, or disability may be filed as follows:

FILING A CIVIL RIGHTS GRIEVANCE COMPLAINT

A complaint should be filed in writing by the complainant, by the complainant's representative, parent or guardian or both. Any complaints received by this district by telephone or verbally will be recorded by the district in written form. The complaint must be filed with the office of the superintendent within one hundred eighty (180) days of the alleged discriminatory action. The complaint should set forth the date, place, and nature of the discriminatory action and specify the remedy sought by the complainant.

INVESTIGATION AND REPORT

The school district will contact the complainant in writing within ten (10) working days of receipt of the complaint to let him or her know the complaint was received and what action the district has taken or will take in an attempt to resolve the complaint.

Within ninety (90) calendar days after receiving the complaint, the superintendent or designee must investigate the incident and issue a finding of whether or not discrimination was found. The investigation will include, but not be limited to, interviews with the complainant and school district personnel.

If the complainant does not agree with the findings of the superintendent or designee, he or she will have thirty (30) days to provide additional information to the designee of the superintendent to facilitate further review of the complaint.

The complainant will be notified of his or her right to appeal the findings of the district to the proper state or federal compliance agency.

REMEDY IF DISCRIMINATION IS FOUND

If the superintendent or designee finds that the alleged discrimination occurred, the superintendent will take immediate steps to remedy such discrimination. The superintendent will provide the complainant with a written report of the findings and proposed remedy, if any. The superintendent will report the investigation findings and proposed remedy, if any, to the board at the next special or regular meeting.

FILING OTHER COMPLAINTS

The complainant may also file a complaint with the following state and federal agencies:

1. Idaho Human Rights Commission, 1109 Main Street, P.O. Box 83720, Boise, Idaho 83720-0040.
2. U.S. Department of Justice, Washington, D.C. 20530.
3. Office for Civil Rights, U.S. Department of Education, 330 C Street Southwest, Suite 5000, Washington, D.C. 20202.

Employment complaints may be filed with the Equal Employment Opportunity Commission, 2815 2nd Avenue, Suite 500, Seattle, Washington 98121.

NO RETALIATORY ACTION

No individual who has filed a complaint, testified, assisted or participated in any matter in the investigation of a complaint will be intimidated, coerced or otherwise discriminated against.

RETENTION OF RECORDS

All records of complaints and investigations filed under this procedure will be retained with the district for a period of three (3) years.

EMPLOYEE ACTIONS

All employees of the district will be responsible for acting in accordance with this policy.

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LEGAL REFERENCE:

- Americans with Disabilities Act
42 USC 12101
- Section 504 of the Rehabilitation Act
29 USC 794
- Title IX of the Education Amendments of 1972
20 USC Section 1681(a)

ADOPTED: February 17, 1999