

TITLE IX AND OTHER DISCRIMINATION COMPLAINT PROCEDURES

The Board of Trustees in order to assure compliance with the laws, rules and regulations pertaining to nondiscrimination, has established this procedure whereby a complaint related to the violation, interpretation, or application of Title IX and the rules and regulations relating thereto, or a complaint relating to any other type of discrimination, may be expeditiously resolved. This procedure shall be available to students and employees of the school district. Inquiries regarding compliance with Title IX may be directed to the superintendent of schools, or Title IX coordinator, at the business office of the school district, or to the director of the Office of Civil Rights, Region XIII, U.S. Department of Education, Federal Building, Suite 310, 1244 Speer Boulevard, Denver, CO 80204-3582, or at (303) 844-5695.

The district adopts the following complaint procedures:

At all times procedures shall be conducted in such a manner as to provide a fair and equitable opportunity to all interested parties to resolve the complaint.

Records:

The written documents comprising complaints, decisions and findings shall be retained by the district Title IX coordinator for not less than two (2) school years.

Nonretaliation:

No retaliation (reprisal) of any kind shall be taken against any person participating in this grievance procedure either as a complainant, a witness, or respondent, by reason of such participation.

Procedure:

At each procedural level the complainant shall be given the opportunity to be present and to be heard. Decisions at all levels shall be written and shall include supporting explanations and evidence. Copies of written decisions will be furnished to all interested parties. For purpose of this policy, the Title IX coordinator referred to above shall also be the person designated to receive complaints and grievances of discrimination of any nature whether specifically prohibited under Title IX or any other federal or state statute or constitutional provision. If at any time the Title IX coordinator is absent or for any reason the position is vacant, the superintendent shall act as the Title IX coordinator and the complainant shall proceed immediately to Level 2.

Initiation of Complaint:

A student, applicant or employee may initiate a complaint by completing a "complaint report form" (providing supporting statements and evidence describing the specific nature of the complaint in sufficient detail to permit the involved parties the opportunity to respond). The completed form is to be presented to the Title IX coordinator within 180 days of the date upon which the complainant learned or should have known of the circumstances upon which the complaint is based. If not so presented, the complaint will be considered waived.

Levels of Grievance Procedure

Internal

Level I:

Within ten (10) regular working days of receipt of a written complaint, the Title IX coordinator will confer with the complainant, investigate the incident, and provide the complainant with a written statement of the Level 1 decision, complete with supporting reasons. Unless the building principal or immediate supervisor is involved in the complaint, the Title IX coordinator may allow the building principal and immediate supervisor to participate in the investigation. The decision of the Title IX coordinator will indicate whether wrongful discrimination did in fact take place and, if so, recommend to the School Board how to remediate the discrimination.

Level II:

A complainant who does not accept the decision of the Title IX Coordinator, may within ten (10) days of receipt of the Level I decision, make a written request for a hearing with the Superintendent of Schools or his/her designee. The hearing request shall include a copy of the original complaint, supporting statements and evidence, and decisions with supporting statements reached at Level I. Within ten (10) days of receipt of the hearing request, the superintendent or his/her designee shall meet with the complainant to discuss the original complaint and previous decisions reached, and within ten (10) days of the hearing, provide the complainant with a written decision complete with supporting reasons.

Level III:

A complainant that does not accept the decisions rendered at Level I or Level II may, within ten (10) days of receipt of the decision at Level II, file a written request with the superintendent for a hearing before the Board of Trustees. Within thirty (30) days of this request, the Board of Trustees will set a hearing date for the complainant. The hearing will be scheduled within sixty (60) days from the date of complainant's request. The Board of Trustees' written decision shall be sent to the complainant within ten (10) days of the hearing.

External

Contact the Director of the Office for Civil Rights, Region VIII, U.S. Department of Education, Federal Building, Suite 310, 1244 Speer Blvd., Denver, Colorado 80205-3582, or at (303) 844-5695.

Adoption Date: 11/9/09