

UNIFORM GRIEVANCE PROCEDURE

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the Board of Education, its employees, or agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy, or have a complaint regarding any one of the following:

1. Title II of the Americans with Disabilities Act
2. Title IX of the Education Amendments of 1972
3. Section 504 of the Rehabilitation Act of 1973
4. Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.
5. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
6. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.
7. Sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972)
8. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children Curriculum, instructional materials, and/or programs
9. Victims' Economic Security and Safety Act, 820 ILCS 180
10. Illinois Equal Pay Act of 2003, 820 ILCS 112
11. Provision of services to homeless students
12. Illinois Whistleblower Act, 740 ILCS 174/1 et seq.
13. Misuse of genetic information (Illinois Genetic Information Privacy Act (GIPA), 410 ILCS 513/ and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), 42 U.S.C. §2000ff et seq.)

Anyone who believes they are victims of harassment, discrimination, or retaliation, or teen dating violence or have witnessed the same are encouraged to discuss the matter with the student Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager. Students may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate and implement corrective action. Students who make good faith complaints will not be disciplined.

An allegation that one student was harassed by another student shall be referred to the Building Principal, Assistant Building Principal, or Dean of Students for appropriate action, including appropriate disciplinary action.

The District will take appropriate steps to protect students from discrimination, harassment, and retaliation for reporting, filing a complaint of, or cooperating in an investigation

The Complaint Manager will attempt to resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to a prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. All deadlines under this procedure may be extended by the Complaint Manager as he or she deems appropriate.

As used in this policy, “school business days” means days on which the District’s main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student’s parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

Investigation

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. If the Complainant is a student, the Complaint Manager will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, this policy, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witness will not be disclosed except: (1) as required by law or any collective bargaining agreement, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

Within 30 school business days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the Superintendent, the written report shall be filed with the Board, which will make a decision in accordance with the following section of this policy. The Superintendent will keep the Board informed of all complaints.

Decision and Appeal

Within five school business days after receiving the Complaint Manager’s report, the Superintendent shall mail his or her written decision to the Complainant by U.S. mail, first class, as well as the Complaint Manager.

Within ten school business days after receiving the Superintendent’s decision, the Complainant may appeal the decision to the Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Board. Within 30 school business days, the Board shall affirm, reverse, or amend the Superintendent’s decision or direct the Superintendent to gather additional information. Within five school business days of the Board’s decision, the Superintendent shall inform the Complainant of the Board’s action.

This grievance procedure shall not be construed to create an independent right to a Board hearing. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing Nondiscrimination Coordinator and Complaint Managers

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District’s

efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others.

The Superintendent shall appoint at least one Complaint Manager to administer the complaint process in this policy.

The Superintendent has appointed the following personnel:

Nondiscrimination Coordinator (Appointed by Dr. Kimako Patterson, Superintendent):

Name: Kenneth Scott

Address: 3015 West

163rd Street 63rd Street

Markham, Illinois 60426

Telephone: (708) 210 – 2888

Complaint Managers (Appointed by Dr. Kimako Patterson, Superintendent):

Name: Ms. Julia A. Veazey & Ms. Carrie Ablin

Address: 3015 W. 163rd St.

Markham, IL 60428

Telephone: (708) 210 - 2888

The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate harassment, discrimination, or retaliation.

Any District employee who is determined, after an investigation, to have engaged in harassment, discrimination, or retaliation will be subject to disciplinary action up to and including discharge. Any student of the District who is determined, after an investigation, to have engaged in harassment will be subject to the aforementioned disciplinary action, including but not limited to, suspension and expulsion consistent with the discipline policy. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.