

## DISCRIMINATION GRIEVANCE PROCEDURE

It is the policy of the Urbandale Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact the district office at 11152 Aurora Ave, Urbandale, IA or call 515.457.5000. The district's Equity Coordinators are Dr. Keri Schlueter, Coordinator of Student Services, [schlueterk@urbandaleschools.com](mailto:schlueterk@urbandaleschools.com), and Mark Lane, Director of Human Resources, [lanem@urbandaleschools.com](mailto:lanem@urbandaleschools.com), and Crista Carlile, Director of Teaching and Learning, [carlilec@urbandaleschools.com](mailto:carlilec@urbandaleschools.com).

Students, parents of students, employees, and applicants for employment in the school district have the right to file a formal complaint alleging discrimination. The district has policies and procedures in place to identify and investigate complaints alleging discrimination. If appropriate, the district will take steps to prevent the recurrence of discrimination and to correct its discriminatory effects on the Complainant and others.

A Complainant may attempt to resolve the problem informally by discussing the matter with a building principal or a direct supervisor. However, the Complainant has the right to end the informal process at any time and pursue the formal grievance procedures outlined below. Use of the informal or formal grievance procedure is not a prerequisite to the pursuit of other remedies. Please note that informal processes and procedures are not to be used in certain circumstances (e.g., sexual harassment and sexual assault).

### **Filing a Complaint**

A Complainant who wishes to avail himself/herself of this grievance procedure may do so by filing a complaint with the equity coordinator(s). An alternate will be designated in the event it is claimed that the equity coordinator or superintendent committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 90 days of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The equity coordinator(s) shall assist the Complainant as needed.

### **Investigation**

Within 15 working days, the equity coordinator will begin the investigation of the complaint or appoint a qualified person to undertake the investigation (hereinafter "equity coordinator"). If the Complainant is under 18 years of age, the equity coordinator shall notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the Complainant is involved. The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. The investigation may include, but is not limited to the following:

- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the individual named in the complaint to provide a written statement;
- A request for witnesses identified during the course of the investigation to provide a written statement;
- Interviews of the Complainant, Respondent, or witnesses;
- An opportunity to present witnesses or other relevant information; and
- Review and collection of documentation or information deemed relevant to the investigation.

Within 60 working days, the equity coordinator shall complete the investigation and issue a report with respect to the findings.

The equity coordinator shall notify the Complainant and Respondent of the decision within 5 working days of completing the written report. Notification shall be by U.S. mail, first class.

### **Decision and Appeal**

The complaint is closed after the equity coordinator has issued the report, unless within 10 working days after receiving the decision, either party appeals the decision to the superintendent by making a written request detailing why he/she believes the decision should be reconsidered. The equity coordinator shall promptly forward all materials relative to the complaint and appeal to the superintendent. Within 30 working days, the superintendent shall affirm, reverse, amend the decision, or direct the equity coordinator to gather additional information. The superintendent shall notify the Complainant, Respondent, and the equity coordinator of the decision within 5 working days of the decision. Notification shall be by U.S. mail, first class.

If the complainant still feels that the matter is not satisfactorily resolved, the complainant may request to appear before the Board by filing the written complaint and any written dispositions with the Board Secretary and request a place on the agenda pursuant to Policy 215. The Board Secretary shall place the item on the Board's agenda. The complainant may appear at the Board meeting and discuss the matter with the Board. The administrative staff may also discuss the matter with the Board. The Board may refuse in its sole discretion to take action on the complaint, or the Board shall decide the matter as soon as practicable, and the Board Secretary shall communicate the Board's decision to the complainant. If the Board declines to decide the matter, the disposition of the Superintendent or his/her designee shall be final. The decision of the Board is final.

The decision of the board in no way prejudices a party from seeking redress through state or federal agencies as provided by in law.

This policy and procedures are to be used for complaints of discrimination, in lieu of any other general complaint policies or procedures that may be available.

If any of the stated timeframes cannot be met by the district, the district will notify the parties and pursue completion as promptly as possible.

Retaliation against any person, because the person has filed a complaint or assisted or participated in an investigation, is prohibited. Persons found to have engaged in retaliation shall be subject to discipline by appropriate measures.

### **Date of Revision: August 14, 2017**

Legal References: 216.9, 256.10(2), 256.11, 279.8, 280.3, 280.17, 280.28 708.10 Code of Iowa; 281 I.A.C. 12.1(1), 12.2, 12.3(6), 12.5(8), Chapter 102; Title IX of the Education Amendments of 1972, 42 U.S.C. 2000c et seq.; Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et. seq. Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e; Rehabilitation Act of 1973, 29 U.S.C. §794; Equal Pay Act of 1973, 29 U.S.C. 206 et. seq.; Title IX Educational Amendments, 20 U.S.C. 1681-1688; Individuals With Disabilities Education Act, 20 U.S.C. §1401 et. seq.; Americans With Disabilities Act 42 U.S.C. §12101, et. seq.; 34 C.F.R. Parts 100, 104 and 106