Grievances by employees, students or other persons alleging illegal discrimination by this district, its employees, other students, or third parties 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 written 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. The investigator will allow both parties an opportunity to present written statements of witnesses and/or other evidence.

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. A complainant may at any time file a complaint directly with other agencies listed on page two of this policy.

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 and to prevent the recurrence of 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. Office for Civil Rights, U.S. Department of Education, 915 2nd Avenue, Room 3310, Seattle, WA 98174-1099.

3. U.S. Department of Justice, Washington, D.C. 20530.

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 manner 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.

SCHOOL DISTRICT ACTIONS

All employees, students, and third parties of the district will be responsible for acting in accordance with this policy.

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LEGAL REFERENCE:
Title VII of the Civil Rights Act of 1965
42 USC Section 2000e, et seq.
Title VI of the Civil Rights Act of 1964
42 USC Section 2000d, et seq.
Section 1981 of the Civil Rights Act of 1866
42 USC Section 1981
Section 1983 of the Civil Rights Act of 1871
42 USC Section 1983
The Equal Pay Act 1963
29 USC Section 206d
Title IX of the Education Amendments of 1972
20 USC Section 1681

Age Discrimination and Employment Act of 1967
29 USC Section 621, et seq.
Americans with Disabilities Act of 1990
42 USC Section 12101, et seq.
Section 504 of the Rehabilitation Act 1973
29 USC Section 794

ADOPTED: 9/19/77

AMENDED: 10/14/2002

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