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GRIEVANCE PROCESS FOR DISCRIMINATION, HARASSMENT, AND RETALIATION

The purpose of this grievance procedure is to provide for an orderly method of resolving grievances based upon charges of discrimination, harassment, or retaliation based on real or perceived race, color, sex, pregnancy, gender, gender identity or expression, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information.

Definitions

Complaint: A written or verbal complaint alleging any action, policy, procedure or practice that discriminates on the basis of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information (including harassment and retaliation).

Claimant: Any person enrolled in or employed by the District or a parent/guardian of a minor student, or member of the public who submits a complaint alleging discrimination based on race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information (including harassment or retaliation). For purposes of this policy, a parent or guardian's complaint or grievance shall be handled in the same manner as a minor student's complaint would be.

District Equity Coordinator(s): The person(s) designated to coordinate efforts to comply with and carry out responsibilities under Title VI of the Civil Rights Act, Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act and any other state and federal laws addressing equal educational opportunity. The Coordinator under Title VI, IX, Section 504/Title II and the Age Act is responsible for processing complaints and serves as moderator and recorder during hearings. The Coordinator of each statutory scheme may be the same person or different persons, but each coordinator will receive relevant training in order to perform his/her duties. The District Equity Coordinators may be contacted at:

Jason Brunk, Ed.D., Executive Director Human Resource
12777 N Rockwell Ave
Oklahoma City, OK 73142
405.717.7799
Jason.brunk@francistuttle.edu

Tracy Skinner, Associate Superintendent
12777 N Rockwell Ave
Oklahoma City, OK 73142
405.717.4984
Tracy.skinner@francistuttle.edu

Jaared Scott, Ed. D., Deputy Superintendent/COO
12777 N Rockwell Ave
Oklahoma City, OK 73142
405.717.4256
Jaared.scott@francistuttle.edu

Site Equity Officers: The Instructional Directors, Assistant Instructional Directors shall serve as the site equity officer to receive and investigate complaints of discrimination or harassment made by students. The Director/Assistant Director may designate an employee of the school of the same gender as the Claimant to investigate claims of gender discrimination. Prior to acting in the role of Equity Officer, he/she will be trained in the Federal laws prohibiting discrimination.

Respondent: The person alleged to be responsible for the alleged discrimination or harassment contained in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.

Day: Day means a working day when the technology center's main administrative offices are open. The calculation of days in complaint processing shall exclude Saturdays, Sundays and legal holidays.

Procedures:

The District shall promptly investigate complaints of discrimination, harassment, and retaliation; take appropriate action against any student or employee who violates this policy; and take any other action reasonably calculated to end and prevent further discrimination, harassment, and retaliation against students, employees, or others. All employees shall cooperate with any investigation of alleged discrimination, harassment, and retaliation conducted under this procedure or by an appropriate state or federal agency.

Informal Pre-Filing Procedures:

Prior to the filing of a written complaint, the student or employee is encouraged to visit with the Site Equity Officer or District Equity Coordinator, as applicable, and reasonable effort should be made at this level to resolve the problem or complaint. In the event the Claimant is under the age of 18, the Equity Coordinator or Equity Officer will notify his/her parent(s).

Formal Complaint Procedures:

- A. Any student, employee or other person who believes he or she has been discriminated against on the basis of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information who desires to proceed with a complaint, shall, within twenty (20) days of an alleged violation, submit a written complaint to the District Equity Coordinator or Site Equity Officer.
- B. In addition to taking action with respect to a written complaint, a District Equity Coordinator or Site Equity Officer may investigate allegations of discrimination without a written complaint according to the procedures set forth in this Policy whenever a District Equity Coordinator or Site Equity Officer deems such action to be appropriate.
- C. The complaint shall state the Claimant's name, the nature of the alleged violation, the date of the alleged violation, the names of persons responsible, any witnesses to the alleged action, and the requested action or relief sought.
- D. Upon the receipt of the complaint, the District Equity Coordinator or Site Equity Officer shall authorize or undertake an investigation. In the event the Claimant is under the age of 18, the Equity Coordinator or Equity Officer will notify the parent(s) of the student.
- E. The District Equity Coordinator or Site Equity Officer may determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the claimant from the person who allegedly harassed or discriminated against the claimant, suspending the implementation of a policy, practice, or procedure and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified.
- F. Within ten (10) business days of receiving the Complaint, the District Equity Coordinator or Site Equity Officer, shall notify the Respondent of the Complaint in writing.
- G. Within ten (10) business days of notification, the Respondent shall submit to the applicable District Equity Coordinator or Site Equity Officer, a written answer which shall confirm or deny the facts upon which the allegation is based, indicate acceptance or rejection of the Claimant's requested action, and/or outline alternatives. The Respondent may also identify witnesses who should be contacted to provide input during the investigation.
- H. Within ten (10) business days of receiving the Respondent's answer, the applicable District Equity Coordinator or Site Equity Officer shall initiate an appropriate investigation which may include, but is not limited to, interviewing both the Claimant and the Respondent and any witnesses identified by either party, identifying any documents or tangible evidence in support of or opposition to the complaint, and conducting any further investigation deemed appropriate by the District Equity Coordinator or Site Equity Officer. The investigation should be concluded within thirty (30) days but the District Equity Coordinator or Site Equity Officer may extend the period of time for an investigation by notifying the Claimant and the Respondent.
- I. Within ten (10) business days after completion of the investigation, the applicable District Equity Coordinator or Site Equity Officer shall render a written decision as to the complaint and shall provide a copy of the written decision to the Claimant and the Respondent. The written decision shall be a summary report containing a synopsis of the evidence, findings of facts, determination of policy violation, and resolution. Additionally, if the District Equity Coordinator or Site Equity Officer determines that the allegations of the complaint are in violation of the policy, prompt and appropriate action shall be taken to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including expulsion or termination.
- J. Within ten (10) business days of receipt of a decision from the applicable District Equity Coordinator or Site Equity Officer, if unsatisfied with the decision, either the Claimant or the Respondent may submit a written request to the Superintendent for a review by the Board of Education.
- K. Within ten (10) business days of receiving a request for review by the Board, the Superintendent shall notify the Board of the request, shall place an agenda item for a review of the complaint on the next regularly scheduled Board meeting, and shall notify the Claimant and the Respondent of the date of the Board's review.
- L. The review by the Board shall involve a review of all documents submitted to the District Equity Coordinator or Site Equity Officer, and, if the Board desires, a statement from the Claimant and the Respondent or the representatives of either of the

parties. The Board shall render a decision which either modifies, affirms, or reverses the decision of the District Equity Coordinator or Site Equity Officer.

M. Within ten (10) business days of conducting the review, the Board or the Board's designee shall provide the Claimant and the Respondent with written notice of the Board's decision on the complaint. The Board's decision shall be final and non-appealable.

Extension of Time: Except as otherwise provided, any time limits established by this policy and these procedures may be extended by mutual consent of the parties involved.

Confidentiality of Records: All records, complaints, notes, documents, and statements made during or relating to allegations of discrimination shall be maintained on a confidential basis by the District Equity Coordinator or Site Equity Officer, and no information concerning any complaint shall be documented in an employee's personnel file. However, in the event official proceedings relating to such allegations are initiated by a party or the District, such records may become public in accordance with law. Information pertaining to complaints shall be maintained for three (3) years after resolution of the Complaint.

Non-retaliation Provision: No person filing a complaint nor anyone participating in the complaint process under this policy will be subjected to any form of reprisal, retaliation, intimidation or harassment because he or she has utilized this complaint procedure in good faith or because he or she has in any way participated in any investigation or hearing involving or related to any complaint filed under this policy. The School District will discipline or take appropriate action against any student, employee, agent, or representative of the District who is determined to have engaged in such retaliatory behavior.

Notice: The district will notify all students, parents or guardians, members of the public and employees of the name, office and telephone number of each Coordinator and this Grievance Procedure in writing via school publications and/or postings at each campus to which employees or students are assigned.

Outside Assistance: Individuals may also file complaints alleging discrimination, harassment or retaliation with the Office of Civil Rights. The OCR may be contacted at:

U.S. Department of Education
Office for Civil Rights
One Petticoat Lane
1010 Walnut Street, Suite 320
Kansas City, MO 64106
(816) 268-0550
(816) 268-0599 (Fax)
(877) 521-2172 (TTY)
E-mail: OCR.KansasCity@ed.gov