

STUDENT COMPLAINTS AND GRIEVANCES REGULATION

The procedures for a student complaint and/or grievance are set forth below:

Definitions

- **Grievant** shall mean a student who alleges that there has been a violation of Title IX or Section 504 of the Rehabilitation Act or the Americans with Disabilities Act (ADA) statute or regulations that affect him/her.
- **Grievance** shall mean any alleged violation of Title IX, Section 504, or the ADA statute or regulations.
- **Compliance officer** shall mean the employee designated by the Board of Education (the Board) to coordinate efforts to comply with and carry out responsibilities under Title IX, Section 504, or the ADA.
- **Representative** shall mean any person designated by the grievant as his/her counsel to act on his/her behalf.

Individual complaints and grievances shall be handled in accordance with the following guidelines:

1. For informal conciliation, students should confer with the appropriate teacher or school personnel to achieve prompt resolution. Students may appeal to the highest authority in the school building, i.e., the building principal, who has the final determination on all such matters.
2. For resolution of matters where appeal procedures are prescribed by statute, e.g., student suspensions, the prescribed course of action will be followed.
3. On issues affecting the student body, students may address the student government or student council in order to resolve such matters. Students may be afforded a conference with the building principal in accordance with the rules and procedures established by the student government.
4. The resolution of student complaints alleging any action prohibited by Title IX, Section 504, or the ADA shall be dealt with in the following manner:

Stages

Stage I – Compliance Officer

1. Within thirty school days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the compliance officer. The compliance officer may informally discuss the grievance with the grievant. He/she shall promptly investigate the complaint. All employees of the Bethlehem Central School District (the District) shall cooperate with the compliance officer in such investigation.
2. Within fifteen school days of the receipt of the grievance, the compliance officer shall make a finding in writing that there has or has not been a violation of Title IX, Section 504 of the

Rehabilitation Act, or the ADA. In the event the compliance officer finds that there has been a violation, he/she shall propose a resolution of the complaint. If the grievant is not satisfied with the finding of the compliance officer, or with the proposed resolution of the grievance, the grievant may, within fifteen school days after he/she has received the report of the compliance officer, file a written request for review by the superintendent.

Stage II – Superintendent

1. The superintendent may request that the grievant, the compliance officer, or any member of the District staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.
2. The superintendent shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within fifteen school days of the receipt of the appeal by the superintendent.
3. Within fifteen school days of the hearing, the superintendent shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act, or the ADA, and a proposal for equitably resolving the complaint.
4. If the grievant is not satisfied with the determination of the superintendent, the grievant may, within fifteen school days after its receipt, file with the clerk of the Board of Education a written request for review by the Board.

Stage III – Board of Education

1. When a request for review by the Board has been made, the superintendent shall submit all written statements and other materials concerning the case to the president of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within fifteen school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.
3. The Board shall render a decision in writing within fifteen school days after the hearing has been concluded.

Distribution of the Grievance Procedure

A copy of the procedure shall be distributed to all employees and to all students or their parents/guardians. A copy of this procedure shall be available for public inspection at reasonable times with the District clerk or at the office of the compliance officer.

Adoption date: June 19, 2002

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