

REGULATION

<u> X </u>	MONITORED
<u> X </u>	MANDATED
<u> </u>	OTHER REASONS

AFFIRMATIVE ACTION GRIEVANCE PROCEDURES

In keeping with Federal/State anti-discrimination legislation, the Board of Education has adopted and hereby publishes the grievance procedures provided for the resolution of student, employee, and parent complaints.

PURPOSE: To provide students, employees and parents a procedure by which they can seek a remedy for alleged violations related to discrimination on the basis of race, color, creed, religion, sexual orientation, sex, ancestry, national origin, or socioeconomic status.

RESPONSIBLE PERSON(S): Grievant
 Affirmative Action Officer
 Superintendent of Schools

DEFINITION: Grievance - A formal written complaint.
 Grievant - Any student, employee, or parent aggrieved by a decision or condition falling under the guidelines of federal and/or state anti-discrimination laws.
 Affirmative Action Officer - The District employee designated to coordinate efforts with anti-discrimination legislation and charged with the responsibility of investigating complaints.

PROCEDURES: Step #1 A grievant must present the complaint in written form to the responsible person designated as the Affirmative Action Officer (Use Grievant Report – Form A)
 Step #2 The Affirmative Action Officer has five (5) working days in which to investigate and respond to the grievant. (Affirmative Action Officer is to use the space provided on Grievance Report – Form A)
 Step #3 If not satisfied, the grievant may appeal within ten (10) working days to the Superintendent or designee (not Affirmative Action Officer. (Use Appeal – Form B)
 Step #4 Response by the Superintendent or designee must be given within five (5) working days. (Superintendent to use space provided for on Appeal – Form B)

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AFFIRMATIVE ACTION GRIEVANCE PROCEDURES (continued)

- Step #5 If the grievant is not satisfied at this level, an appeal may be made within ten (10) working days to the Board of Education which will hear the complaint at the next regular meeting or within thirty (30) calendar days. (Use Appeal – Form C)
 The Board hearing shall be conducted so as to accord due to all parties involved in the complaint such as written notice the Board hearing shall be conducted so as to accord due to all parties involved in the complaint such as written notice of hearing dates, right to counsel, right to present witnesses, right to cross-examine and to present written statement.
 The decision of the Board shall be by a majority of the members at a meeting which shall be public.

- Step #6 The Irvington Board of Education shall respond to the grievant within thirty (30) calendar days. (Use space provided for an Appeal – Form C)

- Step #7 If the grievant is not satisfied with the Board’s decision, the Grievant can have it referred to the County Superintendent of Schools.

- Step #8 The grievant maintains the right to by-pass the grievance procedure and submit the complaint directly to any or all of the following agencies:

 - 1. The Commissioner of Education
 Bureau of Controversies & Disputes
 New Jersey Department of Education
 P.O. Box 500
 Trenton, NJ 08625
 Phone (609) 292-5706

 - 2. Equal Employment Opportunity
 Commission of Newark District Office
 1 Newark Center – 21st Floor
 Newark, NJ 07102
 Phone (973) 645-6383 or (800) 669-4000

 - 3. U.S. Office for Civil Rights
 U.S. Department of Education
 75 Park Place – 14th Floor
 New York, NY 10007
 Phone (212) 264-3313 or (212) 637-6330

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AFFIRMATIVE ACTION GRIEVANCE PROCEDURES (continued)

STEP #4 (continued)

4. New Jersey Division on Civil Rights
31 Clinton Street – 3rd Floor
Newark, NJ 07102
(973) 648-2700

Board Approved: October 19, 2005

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GRIEVANCE REPORT – FORM A

STEP #1

FROM: _____, Grievant

TO: _____, Affirmative Action Officer

DATE: _____

DESCRIPTION OF HAPPENING:

Signature

(This portion to be used by Affirmative Action Officer ONLY)

STEP #2

Grievance # _____

TO: _____, Grievant

FROM: _____, Affirmative Action Officer

DATE: _____

RESPONSE TO GRIEVANT:

Date Grievance Received

Affirmative Action Officer

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APPEAL – FORM B

STEP #3

Grievance # _____

FROM: _____, Grievant

TO: _____, Affirmative Action Officer

DATE: _____

“Grievance Report Form A is hereby attached for APPEAL to the Superintendent.”

Signature

(This Portion to be used by Affirmative Action Officer ONLY)

STEP #4

Grievance # _____

FROM: _____, Grievant

TO: _____, Affirmative Action Officer

DATE: _____

RESPONSE TO GRIEVANT’S APPEAL:

Date Appeal Received

Affirmative Action Officer

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SECOND APPEAL – FORM C

STEP #5

Grievance # _____

FROM: _____, Grievant

TO: _____, Affirmative Action Officer

DATE: _____

The attached Grievance Forms A & B, are hereby submitted for the Board of Education's review pertaining to my complaint.

Signature

STEP #6

Grievance # _____

FROM: _____, Grievant

TO: _____, Affirmative Action Officer

DATE: _____

RESPONSE TO SECOND APPEAL:

Date Appeal Received

Affirmative Action Officer