



Administrative Regulations Regarding Equal Educational Opportunity Grievance Procedures

Code 104.1-R

It is the policy of the Linn-Mar Community School District not to discriminate on the basis of age, color creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, genetic information, physical or mental ability or disability, ancestry, political party preference, political belief, military status, socioeconomic status, pregnancy, or familial status in its educational programs and its employment practices.

Students, parents/guardians of students, employees, volunteers, 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. 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 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 procedures 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 (Example: sexual harassment and sexual assault).*

If you have questions or a grievance related to this policy, please contact the district's Equity Coordinators:

Equity Coordinator/Title IX Coordinator/Affirmative Action Coordinator:
Mrs. Karla Christian, Chief Officer of Human Resources
319-447-3036 / kchristian@Linnmar.k12.ia.us

Equity Coordinator:
Mr. Nathan Wear, Associate Superintendent
319-447-3028 / Nathan.wear@Linnmar.k12.ia.us

Address: 2999 N 10th Street, Marion, IA 52302
Fax: 319-377-9252

LEVEL ONE: *Informal and Optional. May be bypassed by the Complainant.*

Employees or volunteers with a complaint of discrimination based upon their age, color creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, genetic information, physical or mental ability or disability, ancestry, political party preference, political belief, military status, socioeconomic status, pregnancy, or familial status are encouraged to first discuss it with their immediate supervisor with the objective of resolving the matter informally. *This paragraph is for employees and marital status isn't a protected class for employees.*

An applicant for employment with a complaint of discrimination based upon their age, color creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, genetic information, physical or mental ability or disability, ancestry, political

party preference, political belief, military status, socioeconomic status, pregnancy, or familial status are encouraged to first discuss it with the Chief Officer of Human Resources. *This paragraph is for employees and marital status isn't a protected class for employees.*

A student or a parent/guardian of a student with a complaint of discrimination based upon their age, color creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, genetic information, physical or mental ability or disability, ancestry, political party preference, political belief, military status, socioeconomic status, pregnancy, or familial status are encouraged to discuss it with the instructor, counselor, supervisor, building administrator, program administrator, or personnel contact person directly involved.

LEVEL TWO: *Filing a Grievance and Investigation*

Filing a Grievance:

If the complaint is not resolved at Level One and the Complainant wishes to pursue a grievance, they may formalize it by filing a complaint in writing with the district's Equity Coordinators. An alternate investigator will be designated in the event it is claimed that the Equity Coordinators committed the alleged discrimination, or some other conflict of interest exists.

The Complainant will provide a written statement of the nature of the grievance and the remedy requested. The filing of the formal, written complaint at Level Two must be within 15 working days from the date of the event giving rise to the grievance or from the date the Complainant could reasonably become aware of such occurrence.

The Complainant may request that a meeting concerning the grievance be held with the Equity Coordinators. The Complainant will be given the opportunity to present witnesses and other relevant information. A minor student may be accompanied at the meeting by a parent or guardian. The Equity Coordinators shall assist the Complainant as needed.

Investigation:

Within 15 working days, the Equity Coordinators will begin the investigation of the complaint or appoint a qualified person to undertake the investigation and attempt to resolve it. The grievance 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. This investigation may include but is not limited to the following:

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

Within 30 working days, the Equity Coordinators shall complete the investigation and issue a report with respect to the findings.

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.

If, in cases of disability grievances at the elementary and secondary level, the issue is not resolved through the grievance process the parents/guardians have a right to an impartial hearing to resolve the issue.

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

LEVEL THREE: *Decision and Appeal to Superintendent*

The Equity Coordinators 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.

If the grievance is not resolved at Level Two, the Complainant may appeal it to Level Three by presenting a written appeal detailing why they believe the decision should be reconsidered to the superintendent within 10 working days after the Complainant receives the report from the Equity Coordinators.

The Complainant may request a meeting with the superintendent. The superintendent may also request a meeting with the Complainant to discuss the appeal.

Within 30 working days, the superintendent shall affirm, reverse, amend the decision, or direct the Equity Coordinators to gather additional information. The superintendent shall notify the Complainant, Respondent, and Equity Coordinators of the decision within 5 working days of the decision. Notification shall be by U.S. mail, first class.

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

LEVEL FOUR: *Appeal to School Board*

If the Complainant is not satisfied with the superintendent's decision, they can file a written appeal with the school board president within five days of the superintendent's decision detailing why they believe the decision should be reconsidered. It is within the discretion of the school board to determine whether it will hear the appeal.

Adopted: 9/10
Reviewed: 10/11; 9/16
Revised: 4/13; 5/14; 7/17; 10/17; 11/18; 6/20
Related Policy (Code #): 104.1; 104.1-E1-E5
Legal Reference (Code of Iowa): §§ 216.6; 216.9; 256.11; 280.3
IASB Reference: 102.R1