

BOARD OF EDUCATIONUNIFORM GRIEVANCE PROCEDURE

Students or their parent(s)/guardian(s), employees, or community members should notify any District Complaint Manager if they believe that the School Board, its employees, or agents have violated their rights guaranteed by the State or Federal Constitution, State or Federal Statute, or Board policy, or have a complaint regarding any of the following:

1. Title II of the Americans with Disabilities Act;
2. Title IX of the Education Amendments of 1972;
3. Section 504 of the Rehabilitation Act of 1973;
4. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
5. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.
6. Claims of sexual harassment under the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972.
7. Bullying, 105 ILCS 5/27-23.7
8. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
9. Curriculum, instructional materials, and/or programs
10. Victims' Economic Security and Safety Act, 820 ILCS 180
11. Illinois Equal Pay Act of 2003, 820 ILCS 112
12. Provision of services to homeless students
13. Illinois Whistleblower Act, 740 ILCS 174
14. Misuse of genetic information (Illinois Genetic Information Privacy Act (GIPA), 410 ILCS 513/ and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), 42 U.S.C. §2000ff et seq.
15. Employee Credit Privacy Act, 820 ILCS 70

The Complaint Manager will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parent(s)/guardian(s)); this includes mediation. The right of a person to prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

The deadlines under this procedure may be extended as necessary to competently respond to complaints and fulfill the activities set forth herein.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail himself or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with the parent(s)/guardian(s) of a student. The Complaint Manager may assist the Complainant as needed.

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For bullying and cyber-bullying, the Complaint Manager shall process and review the complaint according to Board Policy 715.02 *Bullying*, in addition to any response required by this policy. For any complaint alleging sexual harassment or other violation of Board Policy 500.20 *Workplace Harassment Prohibited*, the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy.

Investigation

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. All parties will have an opportunity to present evidence during an investigation. If the Complainant is a student under 18 years of age, the Complaint Manager will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except (1) as required by law or this policy, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law or any collective bargaining agreement, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness.

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this procedure about the status of the investigation. Within 30 school business days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time. The Superintendent will keep the Board informed of all complaints. If a complaint of sexual harassment contains allegations involving the Superintendent, the written report shall be filed with the School Board. The School Board shall render a decision in accordance with this Policy.

Decision and Appeal

Within five school business days after receipt of the Complaint Manager's report, the Superintendent shall render a written decision that shall be provided to the Complainant, the accused, and the Complaint Manager.

Within 10 school business days after receiving the Superintendent's decision, the Complainant or the accused may appeal to the School Board by making a written request to the Complaint Manager. The Complaint Manager shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the School Board. Within 30 school business days, the School Board shall render a written decision to affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information. Within five school business days of the Board's decision, the Superintendent shall inform the Complainant and the accused of the Board's action.

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For complaints containing allegations involving the Superintendent, within 30 school business days after receiving the Complaint manager's report, the Board shall mail its written decision to the Complainant and the accused by first class U.S. mail as well as to the Complaint Manager. This grievance procedure shall not be construed to create an independent right to a hearing before the Superintendent or the School Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing a Nondiscrimination Coordinator and Complaint Managers

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

The Superintendent shall appoint at least two Complaint Managers, one of each gender. The Superintendent shall insert into this policy the names, addresses, and telephone numbers of current Complaint Managers.

Nondiscrimination Coordinator:

Name	Cathy Brennan, Assistant Superintendent for Human Resources
Address	230 Covington Drive Bloomington, IL 60108
Email	cbrennan@ccsd93.com
Telephone	630-539-3230

Complaint Managers:

Name	John Benedetti, Assistant Superintendent for Business Services
Address	230 Covington Drive Bloomington, IL 60108
Email	benedej@ccsd93.com
Telephone	630-539-3290

Name	Crysta Morrissey, Assistant Superintendent for Student Services
Address	230 Covington Drive Bloomington, IL 60108
Email	morrisc@ccsd93.com
Telephone	630-539-3157

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LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. § 621 *et seq.*; Americans with Disabilities Act 42 U. S. C. § 12101 *et seq.*; Equal Employment Opportunities Act (Title VII of the civil Rights Act), 42 U.S.C. §2000e *et seq.*; Equal Pay Act, 29 U.S.C. § 206(d); Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff *et seq.*; Immigration Reform and Control Act, 8 U.S.C. § 1324a *et seq.*; McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 *et seq.*; Rehabilitation Act of 1973, 29 U.S.C. § 791 *et seq.*; Title VI of Civil Rights Act 42 U.S.C. § 2000d *et seq.*; Title IX of the Education Amendments, 20 U.S.C. § 1681 *et seq.*; State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a); Illinois Human Rights Act, 775 ILCS 5/1-101 *et seq.*; Illinois School Code, 105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-20.60, 5/10-22.5, 5/10-22.5, 5/10-22.19, 5-24-4, 5/27-1, 5/27-23.7, and 45/1-15; Illinois Genetic Information Privacy Act, 410 ILSC 513/; Illinois Whistleblower Act, 740 ILCS 174/; Victims' Economic Security and Safety Act, 820 ILCS 180/, 56 Ill. Admin code Part 280; Equal Pay Act of 2003, 820 ILCS 112/; Employee Credit Privacy Act, 820 ILCS 70/ and 23 Ill. Admin. Code §1.240 and §200-40.

CROSS REF.: 500.08, 500.20, 645.15, 700.01, 855

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