

ADMINISTRATIONNONDISCRIMINATION/AFFIRMATIVE ACTION/AMERICANS WITH DISABILITIES ACT

In keeping with the Federal anti-discrimination legislation, the board of education has adopted the following grievance procedure as a means of effectively resolving any grievance which might be lodged by an employee, student or parent.

The purpose of this procedure is to provide a system to investigate and remedy alleged violations, misrepresentations and inequitable applications of district policies and practices relative to affirmative action and Americans with Disabilities Act legislation.

GRIEVANCE PROCEDURE:Definitions

1. Grievance: A formal written complaint of an alleged violation related to:
 - a. discrimination on the basis of race, color, religion, sex, national origin, age, marital status, creed, ancestry, affectional or sexual orientation, liability for service in the Armed Forces of the United States-or nonapplicable disability.
 - b. sexual harassment
2. Grievant: Any individual including students, employees, and parents/guardians aggrieved by a decision or condition falling under the guidelines of federal and/or state anti-discrimination or sexual harassment laws.
3. Affirmative Action/ADA Officers: The district employees designated to coordinate compliance efforts with anti-discrimination and sexual harassment legislation and charged with the responsibility of investigating complaints.

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ACT(cont)

Procedure

1. The grievant shall present the complaint in written form to the Affirmative Action or American Disabilities Action officer within 180 days of the alleged violation. The Grievance Report-Form A shall be used.
2. The Affirmative Action or American Disabilities Action Officer shall investigate the complaint and submit a written response to the grievant within 30 days. The Grievance Report-Form B shall be used. A copy of the complaint and response shall be submitted to the superintendent.
2. If the grievance is not resolved to the employee, pupil or parent's satisfaction, he/she shall appeal in writing to the superintendent within 30 calendar days.
3. The superintendent shall respond in writing no later than 30 calendar days after the receipt of the grievance.
4. If the grievant is not satisfied with the superintendent's decision, an appeal shall be made to the board of education within 30 calendar days after the receipt of the grievance.
5. The board of education shall respond in writing to the grievant within 30 calendar days.

All meetings shall be conducted so as to accord due process to all parties involved in the complaint. No person shall suffer reprisals for filing a charge or for participating in a grievance procedure. Retaliation in and of itself may give rise to a claim under ADA. Grievance Forms A and B shall be available in each school office and from the Affirmative Action/ADA Officers.

Policy
Adopted: 05/05/93

MERCER COUNTY SPECIAL
SERVICES SCHOOL DISTRICT
Trenton, New Jersey