

HANDLING COMPLAINTS AND GRIEVANCES

Under Title IX, each school district must have a written, publicized grievance procedure for handling complaints alleging sex discrimination. Students, parents, and employees must be fully informed of the steps in the grievance process. It is strongly recommended that discrimination grievance procedures allow for complaints on the basis of race, color, creed, religion, national origin, affectional or sexual orientation, ancestry, socioeconomic status, as well as sex.

Title IX does not specify a particular structure for the grievance procedure; it does require that the procedure provide for the "prompt and equitable resolution of student and employee complaints." Therefore, all procedures must include reasonable timelines for the initiation and resolution of a grievance.

Any person who believes that he/she has been discriminated against may also file a complaint with the Office for Civil Rights or the Department of Education at the same time a grievance is filed during or after the grievance process, or without using the school district process at all. A person may also file a grievance with the New Jersey Division on Civil Rights.

The Title IX regulation requires that the Affirmative Action Officer have primary responsibility for coordinating activities related to the investigation of discrimination complaints. Although Title IX does not spell out those activities, they should include the installation, publication, recordkeeping, and processing of the grievance. If the AAO is a teacher, an administrator must be designated to assist in the process. Although there is no law saying that the Superintendent should not be the Affirmative Action Officer, it is strongly recommended that he/she not accept this position due to a possible conflict of interests.

In summary, the district must do the following:

- Have a procedure by which students and employees may file discrimination complaints;
- Publicize those procedures;
- Involve its AAO in the coordination of grievance procedure activities;
- Maintain records documenting the process; and
- Implement corrective actions when discrimination is identified.



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GRIEVANCE PROCEDURE

In keeping with federal/state antidiscrimination legislation, the Board of Trustees has adopted and hereby publishes the Grievance Procedure 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, affectional or sexual orientation, sex, ancestry, national origin, or socioeconomic status.

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 can be regarded as a grievant.
Affirmative Action Officer-	The district employee designated to coordinate efforts with Anti-discrimination legislation and charged with the responsibility of investigating complaints.

PROCEDURE:

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| Step #1 - | The grievant must present the complaint in written form to the responsible person designated as the Affirmative Action Officer. (Use Grievance Report - Form A) |
| Step #2 - | The Affirmative Action Officer has five 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-working days to the School Business Administrator or designee (not Affirmative Action Officer). (Use Appeal - Form B) |
| Step #4 - | Response by the School Business Administrator or designee must be given within five working days. (SBA or designee to use space provided for on Appeal - Form B) |
| Step #5 - | If the grievant is not satisfied at this level, an appeal may be made within ten working days to the Board of Trustees which will hear the complaint at the next regular meeting or within thirty calendar days. (Use Appeal - Form C) Local |

Board hearing shall be conducted so as to accord due process 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 Pride Academy Charter School Board of Trustees shall respond to the grievant within thirty calendar days. (Use space provided for an Appeal - Form C)

Step #7 - If the grievant is not satisfied with 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 and Disputes
New Jersey Department of Education
PO Box 500
Trenton, New Jersey 08625
Phone: (609) 292-5705
2. Equal Employment Opportunity
Commission Newark District Office
1 Newark Center, 21st Floor
Newark, New Jersey 07102
Phone: 800-669-4000 or 973-645-6383
3. U.S. Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Phone 646-428-3900 or TDD: 877-521-2172
Email: OCR.NewYork@ed.gov
4. New Jersey Division on Civil Rights
140 East Front Street, 6th Floor
PO Box 090
Trenton, NJ 08625-0090
Phone: 609-292-4605 or TDD 609-292-1785



GRIEVANCE REPORT - FORM A

STEP #1

FROM: _____, Grievant

TO: _____, Affirmative Action Officer

DATE: _____

DESCRIPTION OF INCIDENT:

(Signature)

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

STEP #2

Grievance Number _____

TO: _____, Grievant

FROM: _____, Affirmative Action Officer

DATE: _____

RESPONSE TO GRIEVANT:

(Date Grievance Received)

(Affirmative Action Officer)



**PRIDE ACADEMY
CHARTER SCHOOL**

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APPEAL - FORM B

STEP #3

Grievance Number _____

FROM: _____, Grievant

TO: _____, AAO

DATE: _____

Grievance Report Form A is hereby attached for APPEAL to the School Business
Administrator or Designee.

(Signature)

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

STEP #4

Grievance Number _____

TO: _____, Grievant

FROM: _____, AAO

DATE: _____

RESPONSE TO GRIEVANT' S APPEAL:

(Date Appeal Received)

(Affirmative Action Officer)



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SECOND APPEAL - FORM C

STEP #5

Grievance Number_____

FROM: _____, Grievant

TO: _____, AAO

DATE: _____

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

(Signature)

STEP #6

Grievance Number _____

TO: _____, Grievant

FROM: _____

DATE: _____

RESPONSE TO SECOND APPEAL:

(Date Appeal Received)

(Affirmative Action Officer)