

SYOSSET CENTRAL SCHOOL DISTRICT

EQUAL OPPORTUNITY

Policy 0100

The Board of Education, its officers and employees, shall not discriminate against any individual on the basis of actual or perceived age, race, creed, color, national origin, sexual orientation, military status, gender (including gender identity), sex, disability, predisposing genetic characteristics, marital status or domestic violence victim status. The School District will provide notice of this policy in accordance with federal and state laws and applicable regulations.

This policy of nondiscrimination includes access by students to educational programs, counseling services for students, course offerings, and student programs and activities, community and youth programs, including but not limited to the Boy Scouts and Girl Scouts, as well as recruitment and appointment of employees and employment pay, benefits, advancement and/or terminations.

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by the District Code of Conduct, the law or applicable contract.

Annual notification:

At the beginning of each school year, the School District shall publish notice of the established grievance procedures for resolving complaints of discrimination to parents/guardians, employees, eligible students and the community. The public notice shall:

- a. Inform parents, employees, students and the community that education programs, including but not limited to vocational programs, are offered in a non-discriminatory fashion.
- b. Provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination; and
- c. Be included in announcements, bulletins, catalogues, the school calendar, student and staff handbooks and applications for employment and shall be posted in each school and facility in the school district.

The Superintendent of Schools or his/her designee shall establish regulations and procedures for presenting problems or appealing decisions which affect individual students, in accordance with applicable statutory requirements, and for the resolution of complaints or grievances which may affect the student body.

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All complainants and those who participate in the investigation of a complaint in conformity with federal or state laws, regulations, or School District policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

Cross-ref:

Ref: Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, § 2000e *et seq.*
Title VII, Civil Rights Act of 1964, 42 U.S.C. Age Discrimination Act of 1975,
§ 42 U.S.C. 6101 *et seq.*
Title IX, Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*
§ 504, Rehabilitation Act of 1973, 29 U.S.C. § 794
Individuals with Disabilities Education Law, 20 U.S.C. §§ 1400 *et seq.*
Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905
Executive Law § 290 *et seq.* (New York State Human Rights Law)
Education Law §§ 313(3), 3201, 3201-a

Adoption date: July 11, 2016

EQUAL OPPORTUNITY REGULATION

Definitions

1. Grievant shall mean an individual who alleges that they have been discriminated against in violation of the law.
2. Grievance shall mean any allegation of discrimination in violation of state or federal law.
3. Compliance Officer shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities in connection with a claim of discrimination under applicable law.
4. Representative shall mean any person designated by the grievant as his/her counsel or to act in his/her behalf.

Individual complaints and grievances shall be handled in accordance with the following guidelines:

Stages

A. Stage I - Compliance Officer

1. Within thirty (30) days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the Compliance Officer. The Compliance Officer may informally discuss the grievance with the grievant. He/She shall promptly investigate the complaint. All employees of the School District shall cooperate with the Compliance Office in such investigation.
2. Within fifteen (15) days of the receipt of the grievance, the Compliance Officer shall make a finding in writing that there has or has not been a violation of applicable law. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.
3. If the grievant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the grievance, the grievant may, within fifteen (15) days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent of Schools.

B. Stage II - Superintendent of Schools

1. The Superintendent of Schools may request that the grievant, the Compliance Officer, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.
2. The Superintendent of Schools shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statement supplementing their position in the case. The

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Regulation 0100-R

- Superintendent of Schools shall hold such conference within fifteen (15) school days of the receipt of the appeal by the Superintendent.
3. Within fifteen (15) days of the hearing, the Superintendent of Schools shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of applicable law and a proposal for equitably resolving the complaint.
 4. If the grievant is not satisfied with the determination of the Superintendent of Schools, the grievant may, within fifteen (15) days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.
- C. Stage III - Board of Education
1. When a request for review by the Board of Education has been made, the Superintendent of Schools shall submit all written statements and other materials concerning the case to the President of the Board of Education to be made available to the members of the Board of Education for their respective review in connection with the same applicable.
 2. The Board of Education shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within fifteen (15) school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.
 3. The Board of Education shall render a decision in writing within fifteen (15) days after the hearing has been concluded.

In addition to the above, individuals may contact the Office for Civil Rights at:

United States Department of Education
Office for Civil Rights
32 Old Slip, 26th Floor
New York, New York 10005
(646) 428-3800

Distribution of the Grievance Procedure

A copy of the procedure shall be distributed to all employees and to all students or their parents/guardians. A copy of this procedure shall be available for public inspection at reasonable times with the District Clerk and/or at the office of the Compliance Officer.

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