

Board of Education

Uniform Grievance Procedure

District students, parents and/or guardians of District students, or employees of District 401, should notify the Assistant Superintendent for Curriculum & Instruction 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:

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. sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972);
5. the misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children; or
6. curriculum, instructional materials, programs.

The Assistant Superintendent for Curriculum & Instruction will attempt to resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall 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.

1. 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 the Assistant Superintendent for Curriculum & Instruction, the Complainant shall not be required to file a complaint with the Assistant Superintendent for Curriculum & Instruction and may request a Complaint Manager of the same sex. The Assistant Superintendent for Curriculum & Instruction 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 Assistant Superintendent for Curriculum & Instruction shall assist the Complainant as needed.

2. Investigation

The Assistant Superintendent for Curriculum & Instruction will investigate the complaint or appoint a qualified person to undertake the investigation on his or her

behalf. If the complainant is a student, the Assistant Superintendent for Curriculum & Instruction 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 Assistant Superintendent for Curriculum & Instruction shall file a written report of his or her findings with the Superintendent. If a complaint of sexual harassment contains allegations involving the Superintendent, the written report shall be filed with the School Board, which shall render a decision in accordance with Section 3 of this policy. The Superintendent will keep the Board informed of all complaints.

3. Decision and Appeal

After receipt of the Assistant Superintendent for Curriculum & Instruction's report, the Superintendent shall render a written decision, which shall be provided to the Complainant. If the Complainant is not satisfied with the decision, the Complainant may appeal it to the School Board by making a written request to the Assistant Superintendent for Curriculum & Instruction. The Assistant Superintendent for Curriculum & Instruction shall be responsible for promptly forwarding all materials relative to the complaint and appeal to the School Board. Thereafter, the School Board shall render a written decision, which shall be provided to the Complainant. This grievance procedure shall not be construed to create an independent right to a School Board hearing.

Appointing Complaint Managers

The Superintendent shall appoint at least two Complaint Managers, one of each gender. The District's Nondiscrimination Coordinator may be appointed a Complaint Manager. The Superintendent shall insert into this policy the names, addresses, and telephone numbers of current Complaint Managers. As the names change, the Superintendent shall notify the School Board.

See attachment

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 Pay Act, 29 U.S.C. § 206(d).
Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
Rehabilitation Act of 1973, 29 U.S.C. § 791 et seq.
Title VII of Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.
Title IX of the Education Amendments, 20 U.S.C. § 1681 et seq.
775 ILCS 5/1-101 et seq.
105 ILCS 5/10-20.7a, 5/10-22.5, 5/22-19, 5/24-4, and 5/27.1.
23 Ill. Admin. Code §§ 1.240 and 200-40.

CROSS REF.: 5:10, 5:20, 6:260, 7:10, 7:20, 8:70, 8:110.

ADOPTED: April 21, 1999

Uniform Grievance

Attachment

Complaint Managers:

Dr. Paula Hlavacek

Name

Elmwood Park C.U.S.D. #401

Address

8201 W. Fullerton Ave.

708-452-7292

Telephone

Mr. Peter Herbert

Name

John Mills School

Address

2824 N. 76th Ave.

708-452-3560

Telephone