

High Point Regional High School

Affirmative Action Complaint Procedures

Affirmative Action Team:

Seamus Campbell, Affirmative Action Officer; Title IX Coordinator

Gib Carter, Affirmative Action Team Member

High Point Regional High School declares it to be the policy of this district to provide equal and bias free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital or domestic partnership or civil union status, sex, gender identity or expression, affectional or sexual orientation, social or economic status, or disability. In keeping with this policy (and state and federal affirmative action guidelines) all staff members are reminded that aspects of these requirements will be monitored for compliance and documented as part of our record keeping. For further information, refer to High Point Board Policies and/or Regulations: 1140, 1530, 1550, 2260, 3362, 4352, 5751 and 5512.

If you have any questions regarding the Affirmative Action/Equity Programs and Policies, please contact an Affirmative Action Team member. All of the Equity Policies and Procedures are important in maintaining a non-hostile educational environment and workplace. The High Point Board of Education, in accordance with state and federal law, shall guarantee equal employment opportunity throughout the district. Refer to Board Policies 1530 and 1550. The district has a Grievance Procedure to provide for the resolution of complaints of discrimination/harassment.

In the event that information is received by a staff member that indicates a student may have been subject to sexual abuse/misconduct/contact of any kind in violation of criminal statutes, an immediate report must be made by such staff member to the New Jersey Department of Children and Families, and then to the Principal. The Principal must then make an immediate report to the Superintendent, to Police or County Prosecutor, and to the Affirmative Action Officer. After a report to law enforcement, staff is not permitted to conduct any investigation of the charge(s) until local law enforcement and the New Jersey Department of Children and Families have specifically authorized that the District may conduct the same. In the meantime, the District will hold the affirmative action investigation in abeyance.

In the event that a person receives information regarding actual and/or potential sexual harassment of a staff member, he/she must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer, as per Policy/Regulation(s) 3362 and 5751.

The Affirmative Action Team will advise any individual who brings a matter of concern to their attention to follow the formal affirmative action grievance procedures (enclosed), or to contact an administrator so that disciplinary measures or steps toward conflict resolution may be considered.

Regardless of the Affirmative Action Team's recommendation, individuals are always permitted to file a written affirmative action grievance.

The Affirmative Action Team will receive all written affirmative action grievances and carry out a thorough investigation, protecting the rights of both the person making the complaint and the person alleged to have engaged in harassment or inappropriate behavior related to affirmative action. When investigating an affirmative action grievance, it is not always possible to honor a person's request for confidentiality. If you believe that you have been unlawfully discriminated against or harassed, the Board strongly encourages you to report the incident(s) and/or to file a formal grievance. The Board strictly prohibits any form of retaliation against a student or employee for filing a complaint.

GRIEVANCE PROCEDURE

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, national origin, ancestry, age, marital or domestic partnership or civil union status, sex, gender identity or expression, affectional or sexual orientation, social or economic status, or disability

DEFINITIONS:

Affirmative Action Grievance: A complaint for alleged violation(s) related to discrimination on the basis of race, color, creed, religion, affection or sexual orientation, sex, ancestry, national origin, or socioeconomic status.

Grievant: Any student, employee, or parent aggrieved by a decision or condition falling under the guidelines of federal and/or state anti-discrimination laws.

Affirmative Action Officer: The district employee designated to coordinate efforts with anti-discrimination legislation and charged with the responsibility of investigating complaints.

PROCEDURE:

1. A complainant who believes that he/she has been harmed or adversely affected by a failure to enforce the district's affirmative action policies for employment and contract practices shall discuss the matter with his/her immediate supervisor in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the Affirmative Action Team. The complaint will include:
 - a. The complainant's name and address
 - b. The specific failure to act that the complainant complains of

c. The school officer or employee, if any, responsible for the alleged violation of the affirmative action policies.

3. The Affirmative Action Team will investigate the matter and will respond to the complaint in writing no later than seven working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.

4. The response of the Affirmative Action Team may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have violated the district's affirmative action policies.

5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with violation of the district's affirmative action policies and any other person with knowledge of the violation complained of.

6. The Superintendent will render a written decision in the matter no later than seven working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the Board of Education.

7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal will include:

- a. The original complaint
- b. The response to the complaint
- c. The Superintendent's decision
- d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
- e. The complainant's reason for believing the Superintendent's decision should be changed.

8. A copy of the appeal to the Board must be given to the staff member, charged with a violation of the district's affirmative action policies.

9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.

10. The Board will render a written decision no later than **forty-five** calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.

11. The complainant will be informed of his/her right to appeal the Board's decision to the:

1. The Commissioner of Education
Bureau of Controversies and Disputes
New Jersey Department of Education
P.O. Box 500
Trenton, NJ 08625 Phone: 609-292-5705
2. Equal Employment Opportunity Commission
Newark District Office
1 Newark Center, 21st Floor
Newark, NJ 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 100052500
Phone: 646-428-3900 TDD: 877-521-2172
Email: OCR.NewYork@ed.gov
4. New Jersey Division on Civil Rights
140 East Front Street, 6th Floor
P.O. Box 090
Trenton, NJ 086250090 Phone: 609-292-4605 TDD: 609-292-1785