

**GREENBURGH ELEVEN UFSD**

**GRIEVANCE PROCEDURES  
FOR RESOLUTION OF COMPLAINTS ALLEGING DISCRIMINATION  
BASED UPON SEX OR HANDICAP**

**LEVEL ONE PROCEDURE**

1. Any student or employee in the School District who wishes to file a grievance (complaint) regarding alleged discrimination based upon sex (including sexual harassment) or handicap shall make such a complaint in writing on forms available in any of the school offices: Main Office, Elementary School Office, Middle School Office, Unified High School Office, Pupil Personnel Office.
2. Said form should then be given to the District Title IX Compliance Officer and/or Section 504 Compliance Officer.
3. Compliance Officer or his/her designee will then:
  - a) Investigate, within one week (seven calendar days), the circumstances of the complaint.
  - b) Render a decision, within two weeks (14 calendar days) after receipt of complaint, and notify the Complainant.
  - c) Provide the Complainant one week (seven calendar days) to react to the decision before it becomes final.
4. The Complainant's responsibilities will be:
  - a) Accept the decision, in writing, addressed to the Compliance Officer

OR

  - b) Disagree with the decision, in writing, addressed to the Compliance Officer.

The failure of the Complainant to make a response will be considered as his/her acceptance of the decision.

In the event that the District's Level One Officer (i.e., the Title IX compliance Officer and/or the Section 504 Compliance

Officer or his/her designee) is involved in the alleged discrimination, the Complainant can bypass the Level One Procedure and proceed directly to the Level Two Procedure.

## **LEVEL TWO PROCEDURE**

After completion of the Level One Procedure the Complainant can start Level Two Procedure by making a written request to the Compliance Officer to initiate a second stage procedure. In response, the following will occur:

1. The Compliance Officer will request the Superintendent of Schools to review the complaint.
2. The Superintendent will schedule a meeting within one week (seven calendar days) of the receipt of the request for review. The participants shall be the Complainant (the Complainant may be accompanied by his/her parent(s), guardian, spouse or friend, the Compliance Officer, and the Superintendent; only the Complainant and the Compliance Officer may present information or otherwise actively participate in the meeting.
3. The Superintendent will make a decision within one week (seven calendar days) which shall be final. The Complainant and the Compliance Officer will receive copies of the decision.

## **OTHER CHANNELS FOR FILING COMPLAINTS**

There are other agencies with which complaints alleging discrimination based upon sex or handicap can be filed. Please note that since each agency has its own rules on deadlines for filing complaints, a check should be made with each agency to determine its particular rules for filing complaints.

The Complainant may also file a complaint alleging discrimination based upon sex or handicap with:

- a) Federal Office for Civil Rights  
6 Federal Plaza  
New York, NY 10278
- b) New York State Division for Human Rights  
Alfred E. Smith State Office Building  
25th Floor  
P.O. Box 7063  
Albany, NY 12225-0063
- c) Complainants who are employees (not students) may also file a complaint of employment discrimination with:  
  
Equal Employment Opportunity Commission (EEOC)  
New York District Office  
90 Church Street  
Room 1505  
New York, NY 10007  
(212) 264-7161

Also, as detailed in Section 310 of the New York State Education Law, and Part 275 of the Regulations of the Commissioner of Education, "Any person conceiving himself aggrieved may appeal or petition to the Commissioner of Education..." The address is:

New York State Commissioner of Education  
New York State Education Department  
Washington Avenue  
Albany, NY 12234

Although not legally required, it is strongly recommended that complainants go through the school District's grievance procedures before filing a complaint through the other channels listed above.

## **DEFINITIONS**

1. **Grievance** - a complaint alleging discrimination based upon sex (including sexual harassment) or handicap - an issue that reaches Level One Procedure. This issue involves the violation, interpretation, or application of the Title IX of the Education Amendments of 1972 (forbids discrimination on the basis of sex) and with Section 504 of the Rehabilitation Act of 1973 (forbids discrimination on the basis of handicapping condition).
2. **Student** - any person enrolled as a student in any school and/or educational or recreational program authorized by the School District.
3. **Employee** - any full-time or part-time teacher, secretary, clerk, custodian, cleaner, administrator, or other person receiving compensation for services rendered in the School District.
4. **Complainant** - Person making the complaint alleging discrimination based upon sex or handicap.
5. **Compliance Officer** - The Person(s) designated by the School District Board of Education to coordinate efforts to comply with Title IX Rules and Regulations, and with Section 504 of the Rehabilitation Act of 1973.
6. **Superintendent** - The Superintendent of Schools or her or his designated representative.

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**FORM FOR GRIEVANCE PROCEDURES FOR RESOLUTION OF COMPLAINTS  
ALLEGING DISCRIMINATION BASED UPON SEX OR HANDICAP**

**Name of person making the complaint:** \_\_\_\_\_

Student: \_\_\_\_\_

Employee: \_\_\_\_\_

School or  
Department: \_\_\_\_\_

**Statement of complainant:** Describe your complaint - i.e., why you feel you have been discriminated against on the basis of your sex or handicap - in as much detail as possible. Include names, dates, witnesses, etc. Use additional sheets if necessary.

**Solution Requested by Complainant:**

Signature of Student or Employee \_\_\_\_\_

Date Submitted \_\_\_\_\_

**PLEASE FORWARD TO THE TITLE IX OR SECTION 504 COMPLIANCE OFFICER**