



Mitchell School District 17-2 POLICY

Category	Approval
Series 100: Foundations and Basic Commitments	Adopted
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	1/22/90
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	10/23/00, 7/14/03, 6/29/07, 6/27/11, 6/22/15

NON-DISCRIMINATION --ADMINISTRATIVE REGULATIONS

MSD 112R

Resolution of Discrimination Complaints

A complaint must be filed when it is felt that a violation of the Policy on Nondiscrimination has occurred. Such action is defined as a complaint dealing with discrimination on the basis of race, color, creed, religion, age, gender, disability, military status, national origin or ancestry, or any other status or condition protected by applicable federal or state law.

A complaint relating to the Nondiscrimination Policy may be filed by a student, parent/guardian, employee, or other citizen. Steps will be taken to ensure confidentiality at each level of the complaint procedure.

The complainant is encouraged to attempt to resolve the complaint informally by working with the administrator more directly involved in the situation before filing a formal complaint. However, it is understood that for some complaints this may not be appropriate and the formal procedure may be the process to follow.

Formal Procedures

1. A formal complaint of discrimination may be filed with the appropriate designated administrator of the Mitchell School District 17-2. The formal complaint shall be maintained in a file with the designated administrator as identified.

2. A discrimination report will be completed by the person filing the complaint or the designated administrator. Information included in the report shall include, but is not limited to, the following:

- Date report filed
- Complainant's name and address
- Date(s) of the incident(s)
- Description of the incident(s)
- Name(s) of the person(s) involved in the incident(s)
- Name(s) of any witness(es) to the incident(s)
- What action, if any, has been taken
- Requested resolution of the complaint
- Signature of the complainant will be requested, but not required

3. The designated administrator will conduct an investigation to gather data regarding the alleged discrimination, take appropriate action regarding the complaint and render a decision in writing to the complainant within fourteen (14) calendar days of receipt of the formal complaint. The date of receipt of the complaint will be that date stamped on the complaint when received in the office of the designated administrator.

4. If the complainant is not satisfied with the decision rendered by the designated administrator, s/he may appeal the decision to the superintendent within seven (7) calendar days following receipt of the decision. The appeal must include the original complaint form, a copy of the decision from the designated administrator, and a written statement as to the reason for the

appeal. The date of receipt of the appeal will be that date as stamped on the appeal when received in the office of the superintendent.

5. The superintendent or designee will review the materials submitted, may investigate the circumstances, and respond in writing fourteen (14) calendar days from the date of the appeal. At the superintendent's level, the appeal process may or may not include a conference with the parties involved.

6. If the complainant is not satisfied with the decision rendered by the superintendent, s/he may request a hearing in executive session with the school board. The request for hearing must be submitted within seven (7) calendar days through the superintendent's office. The hearing will be scheduled within thirty (30) calendar days from the request for the hearing. The date of the request for the hearing will be that date stamped on the request when received in the office of the superintendent. The involved parties will be notified in writing of the date and time of the scheduled hearing.

7. The school board will render a decision in writing within fourteen (14) calendar days of the hearing to both the complainant and the individual(s) against whom the complaint is filed.

8. Either party may have representation present at each step of the process. If either party elects to be represented at any step of the complaint procedure, the names of these representatives must be declared in writing at least five (5) calendar days prior to that step.