

# Board Policy

Code No. 600.2R

## GRIEVANCE PROCEDURE

Students, parents of students, employees, and applicants for employment in the school district will have the right to file a formal complaint alleging discrimination under federal or state regulations requiring non-discrimination in programs and employment.

Level One – Principal, Immediate Supervisor or  
Personnel Contact Person  
(Informal and Optional – may be bypassed by the grievant)

Employees with a complaint of discrimination based upon their race, color, creed, religion, gender, sexual orientation, gender identity, national origin, socio-economic status, disability, or age are encouraged to first discuss it with their immediate supervisor, with the objective of resolving the matter informally. An applicant for employment with a complaint of discrimination based upon their race, color, creed, religion, gender, sexual orientation, gender identity, national origin, socio-economic status, disability, or age are encouraged to first discuss it with the personnel contact person. This paragraph is for employees and “marital status” isn’t a protected class for employees.

A student, or a parent of a student, with a complaint of discrimination based upon their race, color, creed, religion, gender, sexual orientation, gender identity, national origin, socio-economic status, disability, or marital status are encouraged to discuss it with the instructor, counselor, supervisor, building administrator, program administrator, or personnel contact person directly involved.

Level Two – Compliance Officer

If the grievance is not resolved at Level One and the grievant wishes to pursue the grievance, the grievant may formalize it by filing a complaint in writing on a Grievance Filing Form, which may be obtained from the Compliance Officer. The complaint will state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at Level Two must be within 15 working days from the date of the event giving rise to the grievance, or from the date the grievant could reasonably become aware of such occurrence. The grievant may request that a meeting concerning the complaint be held with the Compliance Officer. A minor student may be accompanied at that meeting by a parent or guardian. The Compliance Office will investigate the complaint and attempt to resolve it. A written report from the Compliance Officer regarding action taken will be sent to the involved parties within a reasonable time after receipt of the complaint.

Level Three – Superintendent/Administrator

If the complaint is not resolved at Level Two, the grievant may appeal it to Level Three by presenting a written appeal to the superintendent within five working days after the grievant receives the report from the Compliance Officer, the grievant may request a meeting with the Superintendent. The superintendent may request a meeting with the grievant to discuss the appeal. A decision will be rendered by the superintendent within a reasonable time after the receipt of the written appeal. In the case of a disability grievance related to student identification, student placement, or the provision of an accommodation to support student

learning, request for hearings shall be submitted to the District 504 Compliance Officer. Upon receiving a written request for a hearing, the District 504 Compliance Officer will contact a Resolution Facilitator from Mississippi Bend Area Education Agency who hears cases pursuant to the Individuals with Disabilities Education Act and who has been trained regarding Section 504. The hearing officer will schedule a due process hearing to occur as soon as reasonably possible for the parent/legal guardian and district. The parent/legal guardian and district may be represented by legal counsel at the hearing, may examine relevant records, and participate in the hearing. Within ten (10) school days after the conclusion of the hearing, the hearing officer will render a written decision. The written decision shall include applicable findings of fact and conclusions of law. The hearing officer shall submit the written decision to the parent/legal guardian and to the Board of Education. The decision of the hearing officer shall constitute the final administrative decision on the Section 504 matter.

This procedure in no way denies the right of the grievant to file formal complaints with the Iowa Civil Rights Commission, the U.S. Department of Education Office for Civil Rights or Office of Special Education Programs, the Equal Employment Opportunity Commission, or the Iowa Department of Education for mediation or rectification of civil rights grievances, or to seek private counsel for complaints alleging discrimination.

#### Level Four – Appeal to Board

If the grievant is not satisfied with the superintendent's decision, the grievant can file an appeal with the board within five working days of the decision. It is within the discretion of the board to determine whether it will hear the appeal.

The Compliance Office is:

NAME Bettendorf Schools Compliance Officer

OFFICE ADDRESS P.O. Box 1150, Bettendorf, IA 52722

PHONE NUMBER 563/359-3681

OFFICE HOURS 7:30 A.M. until 4:30 P.M.

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