

102R1 CIVIL RIGHTS GRIEVANCE PROCEDURES - ADMINISTRATION REGULATIONS

It is the policy of the Muscatine Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact:

Jaime Kroeger, Director of Human Resources & Equity
Muscatine Community School District
2900 Mulberry Ave.
Muscatine, Iowa 52761
563-263-7223 or jaime.kroeger@mcsdonline.org

Students, parents of students, employees, and applicants for employment in the school district have the right to file a formal complaint alleging discrimination. The district has policies and procedures in place to identify and investigate complaints alleging discrimination. If appropriate, the district will take steps to prevent the recurrence of discrimination and to correct its discriminatory effects on the Complainant and others.

A Complainant may attempt to resolve the problem informally by discussing the matter with a building principal or a direct supervisor. However, the Complainant has the right to end the informal process at any time and pursue the formal grievance procedures outlined below. Use of the informal or formal grievance procedure is not a prerequisite to the pursuit of other remedies. Please note that informal processes and procedures are not to be used in certain circumstances (e.g., sexual harassment and sexual assault).

The District has separate procedures for reports or complaints of sexual harassment governed by Title IX of the Education Amendments Act of 1972. These procedures are available at: <http://www.muscatine.k12.ia.us/departments/hr/title-ix/> or for a paper copy, please contact the Human Resources Department at 2900 Mulberry Avenue, Muscatine, Iowa, 52761, 563-263-7223. For reports or complaints of sexual harassment outside of the District's Title IX jurisdiction, the District may follow any other applicable policy or procedure to respond to such a report or complaint. Questions about the District's obligations under Title IX or the District's Title IX Procedures should be directed to the District's Title IX Coordinator, Jaime Kroeger, Muscatine Community School District, 2900 Mulberry Avenue, Muscatine, Iowa 52761, 563-263-7223 or jaime.kroeger@mcsdonline.org or Deputy Title IX Coordinator Mike Henson, 2705 Cedar Street, Muscatine, Iowa, 52761, 563-263-6141, mike.henson@mcsdonline.org.

Filing a Complaint

A Complainant who wishes to avail himself/herself of this grievance procedure may do so by filing a complaint with the equity coordinator(s). An alternate will be designated in the event it is claimed that the equity coordinator or superintendent committed the alleged discrimination or some other conflict of interest exists. The District encourages all individuals to report alleged discrimination as soon as possible after it occurs (within 180 days), as long delays in reporting can prevent the District from being able to effectively investigate and resolve the complaint. The Complainant will state the nature of the complaint, including a brief description of the alleged conduct, the identity of the respondent(s), the date(s), and location(s) of the alleged conduct, and the identity of any relevant witnesses. The equity coordinator(s) shall assist the Complainant as needed in completing a written complaint.

Investigation

Within 15 working days, the equity coordinator will begin the investigation of the complaint or appoint a qualified person to undertake the investigation (hereinafter "equity coordinator"). If the Complainant is under 18 years of age, the equity coordinator shall notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the Complainant is involved. The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. The investigation may include, but is not limited to the following:

- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the Respondent to provide a written statement;
- A request for witnesses identified during the course of the investigation to provide a written statement;
- Interviews of the Complainant, Respondent, and witnesses;
- An equal opportunity for the Complainant and Respondent to present witnesses or other relevant information; and
- Review and collection of documentation or information deemed relevant to the investigation.

Within 60 working days, the equity coordinator shall complete the investigation and issue a report with respect to the findings.

The equity coordinator shall notify the Complainant and Respondent of the decision within 5 working days of completing the written report. Notification shall be by U.S. mail, first class.

Decision and Appeal

The complaint is closed after the equity coordinator has issued the report, unless within 10 working days after receiving the decision, either party appeals the decision to the superintendent by making a written request detailing why he/she believes the decision

should be reconsidered. The equity coordinator shall promptly forward all materials relative to the complaint and appeal to the superintendent. Within 30 working days, the superintendent shall affirm, reverse, amend the decision, or direct the equity coordinator to gather additional information. The superintendent shall notify the Complainant, Respondent, and the equity coordinator of the decision within 5 working days of the decision. Notification shall be by U.S. mail, first class.

The decision of the superintendent shall be final.

The decision of the superintendent in no way prejudices a party from seeking redress through state or federal agencies as provided by law.

This policy and procedures are to be used for complaints of discrimination, in lieu of any other general complaint policies or procedures that may be available. If any of the stated time frames cannot be met by the district, the district will notify the parties and pursue completion as promptly as possible.

Retaliation against any person, because the person has filed a complaint or assisted or participated in an investigation, is prohibited. Any individual who has been subjected to retaliation should immediately contact the District's Equity Coordinator. Persons found to have engaged in retaliation shall be subject to discipline by appropriate measures, up to and including suspension or expulsion of a student or termination of an employee.