

Students

**SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS**

SWBOCES students shall be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal. Administration shall be responsible for:

- a) Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;
- b) Developing an appeals process;
- c) Ensuring students have full understanding and access to these regulations and procedure; and
- d) Providing prompt and equitable consideration and determination of student complaints and grievances.

The District Superintendent is responsible for ensuring that appeal procedures are incorporated into discipline codes, explained to all students, and provided to all parents on an annual basis.

SWBOCES staff will notify appropriate officials at a student's home district when a complaint or grievance is filed and keep the home district informed of the status of the complaint or grievance.

**Prohibition of Retaliatory Behavior**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

**Complaints and Grievances Officer**

Additionally, the Board shall ensure compliance with Civil Rights Law and implementing regulations. The District Superintendent shall designate Civil Rights Compliance Officer(s); regulations and procedures shall be implemented to resolve complaints of discrimination.

**Annual Notification**

Prior to the beginning of each school year, the SWBOCES shall publish a notice which advises students, parents/guardian, employees and the general public of the SWBOCES' established grievance procedures for resolving complaints of discrimination. Included in such announcement will be the name, title, address, telephone number and email address person(s) designated to coordinate Civil Rights activities.

(Continued)

Students

**SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS (Cont'd.)**

The Civil Rights Compliance Coordinators shall be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, sex, disability, political affiliation, membership in the Boy Scouts or other designated youth groups, sexual orientation, age, military status, marital status, or use of a recognized guide dog, hearing dog or service dog, or other protected groups.

The public notice shall also be included in announcements, bulletins, catalogues, and applications made available by the SWBOCES.

Age Discrimination Act of 1975

Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.

Prohibits discrimination on the basis of disability.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.

Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

Prohibits discrimination on the basis of sex.

Civil Rights Law Section 40-c

Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability.

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, or use of a recognized guide dog, hearing dog or service dog.

Boy Scouts of America Equal Access Act, part of the No Child Left Behind Act of 2001, which prohibits denial of access to or other discrimination against the Boy Scouts or other Title 36 U.S.C. youth groups in public elementary schools, public secondary schools, local education agencies, and state education agencies that have a designated open forum or limited public forum.