

NONDISCRIMINATION GRIEVANCE PROCEDURE

~~It is the policy of the Board to offer the opportunity to students to participate in appropriate programs and activities without regard to~~ The School Board provides that no qualified individual shall, solely by reason of his/her race, color, religion, national origin, gender, ~~sex~~, disability, marital status, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity in the district, except as otherwise provided by State law.

~~The Compliance Officer~~ Equity Coordinator for the School Board is identified annually and the name is published in the student handbooks. ~~The Compliance Officer may be reached at the School Board.~~

~~At each school, The Compliance Officer for each school for that institution~~ is the school principal thereof. The school principal may designate other persons to act in this capacity on his/her behalf as the demands of the institution dictate. Nevertheless, all written grievances may be properly directed to the principal of the institution alleged to be in violation of Title IX of the Florida Education Equity Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act Amendments Act (ADAAA) of 2008.

All written complaints, received at schools in the district, alleging violations of Title IX of the Florida Education Equity Act, regardless of resolution at the individual school level, shall be forwarded to the School Board's Equity Coordinator ~~Compliance Officer~~ . The School Board's Equity Coordinator ~~Board's Compliance Officer~~, or his/her designee shall maintain all such written complaints, as well as the written response/resolution to such complaints. These documents are public records and shall be available for inspection and copying through proper public records request ~~by any person or organization~~, subject to reasonable fee.

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the ADAAA prohibit discrimination against students with a disability. Mitigating measures as provided in ADAAA may not be taken into consideration when determining whether a student is disabled. An impairment that is episodic or in remission may qualify as a disability if it would substantially limit a major life activity when active. No discrimination against any student with a disability will knowingly be permitted in any of the programs, policies, procedures, or activities of the District.

Student Grievance Procedure:

Grievance Defined - Grievance under this policy concerns alleged violation(s) of Title IX Education Amendments of 1972, which prohibit ~~sex~~ gender discrimination in education or alleged violation(s) of the Florida Educational Equity Act, F.S. 1000.05, which prohibits discrimination in public education. In addition, Section 504 of the Rehabilitation Act of 1973 and the ~~Americans with Disabilities Act~~ ADAAA prohibit discrimination against students with a disability. No discrimination against any student with a disability will knowingly be permitted in any of the programs or activities of the District. To ensure the District's compliance, the following grievance procedures have been adopted.

A. Step 1

If the individual public school student (or parent on behalf of the student) believes that an action, or inaction, by the school, school representative, or school employee has violated his/her rights under Title IX, the Florida Educational Equity Act, Section 504 of the Rehabilitation Act of 1973, or the ~~Americans with Disabilities Act~~ ADAAA, the student is encouraged to seek a resolution through appropriate informal discussion with the individual or individuals alleged to have committed the violation or other appropriate school personnel.

B. Step 2

If the informal discussion does not satisfactorily resolve the issue, the aggrieved student (or parent on behalf of the student) shall submit a written statement of his/her grievance to the school principal, or his/her designee, within thirty (30) school days of the informal discussion. This statement shall include a specific description of the alleged discriminatory denial of opportunity to the student, name(s) of the person or persons causing the alleged violation, the date of the alleged violation, the resolution sought by the student, and the signature of the student and his/her parent or guardian. Failure of the student to timely submit such written complaint shall not impact the student's legal rights under Title IX or the Florida Educational Equity Act, Section 504 of the Rehabilitation Act of 1973 or the ADAAA.

Within seven (7) days of receipt of the written grievance, the school principal or his/her designee shall investigate and render a written response to the grievance of the aggrieved student and parent or guardian. This response shall either uphold, modify, or deny the resolution sought.

C. Step 3

If the student, parent or guardian is not satisfied with the response issued in Step 2, the student may, within seven (7) school days of the date of the response, resubmit the grievance in writing to the School Board's Equity Coordinator.

Within seven (7) school days, the School Board's Equity Coordinator shall issue a written response to the aggrieved student and parent or guardian. The decision of the School Board's Equity Coordinator shall be final except as provided by law or Board policy which includes the right of the parent or student to request an impartial due process hearing in regard to the student's identification, evaluation or placement under Section 504 of the Rehabilitation Act of 1973 and the ADA.

The Superintendent shall develop and update administrative procedures as necessary to implement this policy.

F.S. 1000.05, 1001.41

Florida Educational Equity Act

Titles VI, VII, and IX of the Civil Rights Act 1964

Section 504 of the Education Amendments of 1972

~~American's~~ Americans with Disabilities Act, Public Law 101-336

Section 504 of the Rehabilitation Act of 1973

Americans with Disabilities Act Amendments Act of 2008 (ADAAA)

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