

NON-DISCRIMINATION / EQUAL OPPORTUNITY POLICY

Fitzgerald Public Schools has a continuing commitment to insure fair and equal educational and employment opportunities and treatment for all students, employees and applicants for employment.

In compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disability Act of 1990, it is the policy of the Fitzgerald Public School District that no person shall, on the basis of race, color, religion, national origin or ancestry, gender, disability, age, height, weight, or marital status be excluded from participation in, be denied the benefits of, or be subjected to discrimination during any program, activity or service or in employment.

Furthermore, district staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of workshop celebration. The District shall not function as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article.

The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.

The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

Discrimination on the basis of sex includes unwelcome sexual advances, requests for sexual favors and any other verbal or physical conduct of a sexual nature constituting sexual harassment.

Pursuant to Title II of the Americans with Disabilities Act, Fitzgerald Public Schools prohibits discrimination against qualified individuals with disabilities who are entitled to access to the District's services, programs and activities under the law. Inquiries related to discrimination on the basis of disability should be directed to the designated Section 504 Coordinator, Student Services Office, 23200 Ryan Road, Warren, MI 48091, (586) 757-4044.

Direct all other inquiries related to discrimination to the designated: Civil Rights Coordinator, Student Services Office, Fitzgerald Public Schools 23200 Ryan Road, Warren, MI 48091 (586) 757-1751.

PROCEDURE

A. The superintendent shall annually name the Chief Compliance Officer, Civil Rights Coordinator and Section 504 Coordinator to monitor the enforcement of this policy.

B. In the event any student, parent, employee or applicant for employment believes he/she has been discriminated against in violation of the above policy, or believes that discrimination exists in any Board or administrative policy and/or practice in any educational program or activity or employment relationship supervised or operated by the school district, he/she may within ten (10) days of the occurrence, use the following procedure to seek a resolution of the alleged problem.

Section 1: An employee may make a verbal complaint to his/her immediate supervisor or building principal. A student (parent or guardian on a student's behalf) may make a verbal complaint to his/her school principal. In the event that the immediate supervisor or building principal is alleged to be involved in the incident, the complaint may be submitted to the superintendent or his/her designee.

A parent or applicant for employment may make verbal complaint directly to the compliance officer. The name of the compliance officer is available from the superintendent's office.

Section 2: To protect the interests of the complainant, the person(s) complained against, witnesses, and any other who may report incidents of discrimination, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

Section 3: Any school district employee who receives a discrimination complaint shall immediately verbally report the complaint to the superintendent or his/her designee.

Section 4: After reporting a discrimination problem to his/her immediate supervisor or principal, that person shall report the problem to the superintendent or his/her designee, who shall investigate the complaint and then respond to the complainant within five (5) working days. The superintendent or his/her designee shall be responsible for notifying the person against whom the allegation of discrimination is made and for ensuring that all points of view are represented in the investigation. The superintendent or his/her designee shall be present at all meetings pertaining to the complaint. If the superintendent's or his/her designee's reply is not acceptable to the complainant, the complainant may initiate formal procedures as outlined in Section 5.

Section 5: A written statement of the discrimination complaint, signed by the complainant, shall be submitted to the superintendent or his/her designee within five (5)

working days of the receipt of an answer to the verbal complaint. The complainant must document exactly what happened and keep a copy of the letter. The following is to be included in the letter:

- what happened
- when it happened
- where it happened
- who the discriminator is
- any witnesses
- what I said/did
- how I felt
- how the discriminator responded
- verbatim quotations
- when & to whom verbally reported

The superintendent or his/her designee shall be responsible for informing the person against whom the complaint has been made, of his/her right to submit a written statement within five (5) working days of notice that they are the subject of a discrimination complaint. Furthermore, the superintendent or his/her designee shall be responsible for submitting the copies of the written statements of the complainant and the charged party to only the complainant, charged party and the appropriate administrators for consideration. The building administrator or immediate supervisor shall meet with all parties involved, propose a solution, and respond in writing to the complainant, the charged party, the superintendent of schools and his/her designee within ten (10) working days of receiving the complaint.

Section 6: If the complainant wishes to appeal the decision of the immediate supervisor or principal, he/she may submit a signed statement of appeal to the superintendent of schools, or designee, within five (5) working days after receipt of the building administrator's response. The superintendent shall meet with all parties involved, formulate a resolution, and respond in writing to the complainant, the Board of Education, and all other parties, within ten (10) working days.

Section 7: If the complainant remains unsatisfied, he/she may appeal through a signed, written statement to the Board of Education within five (5) working days of his/her receipt of the superintendent's response. In an attempt to resolve the complaint, the Board of Education shall meet with the concerned parties and their representative within fifteen (15) working days of the receipt of such an appeal. This meeting may be conducted in private, upon the request of the complainant or the person or persons who are being charged. A copy of the Board's resolution of the appeal shall be sent to all concerned parties within ten (10) working days of this meeting.

Section 8: The use of this procedure in no way precludes the right of a person alleging discrimination to seek other remedies provided under the law.

NOTIFICATIONS

It is the intent of the Board of Education of the Fitzgerald Public Schools that this policy receive wide distribution, and shall be:

- A. Circulated to all schools and departments and to all counselors of the Fitzgerald Public Schools on an annual basis and shall be incorporated in staff and student handbooks.
- B. Publicized in district and building newsletters.

The Board also directs that affirmative programs be initiated so that employment practices and work conditions/educational practices and the educational environment will be free from discrimination.

SANCTIONS

- A. Reprisal

The school district will discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who reports alleged discrimination or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

- B. School District Action

1. Upon substantiated charge, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, (Michigan) and federal law and school district policies.
2. Corrective action will also include removal of the effects of the policy violation in the workplace, such as the removal of offensive graffiti or posters or similar objects of discrimination, and the elimination of discriminatory remarks.
3. The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

Anyone, at any time may contact the Office of Civil Rights for information and/or assistance at (216) 522-4970. If the grievance has not been satisfactorily settled, further appeal may be made to the Regional U.S. Department of Education Office for Civil Rights, 600 Superior Avenue East, Bank One Center, Suite 750, Cleveland, Ohio 44114-2611.

Inquiries concerning the nondiscriminatory policy may be directed to Director, Office for Civil Rights, U.S. Department of Education, Washington, D.C. 20202.

The local coordinator, on request, will provide a copy of the district's grievance procedure and investigate all complaints in accordance with this procedure.

A copy of each of the Acts and regulations on which this notice is based may be found in the Civil Rights Coordinator's office.

**Fitzgerald Public Schools
DISCRIMINATION COMPLAINT INFORMATION**

Complaints may be made by any student, parent, employee or applicant for employment who believes that he or she has been discriminated against in violation of Fitzgerald Public Schools' Non-Discrimination/Equal Employment Opportunity Policy.

Name of Complainant: _____

Address & Telephone: _____

Number of Complainant: _____

Description of Incident(s)

What Happened: _____

When It Happened: _____

Where It Happened: _____

Name of Alleged "Discriminator": _____

Any Witnesses? Yes No

Witness Names/Where They Can They can Reached):

(Please Continue On Other Side)

**Fitzgerald Public Schools
DISCRIMINATION COMPLAINT INFORMATION (cont.)**

How I Felt: _____

How Alleged "Discriminator" Responded: _____

Verbatim Quotations: _____

When & To Whom Verbally Reported: _____

Other Information: _____

Signature of Complainant

Date

(Signature of Superintendent or Designee)