

# BOARD POLICY

GAAA

## PERSONNEL NONDISCRIMINATION

~~June 6, 2016~~

It is the policy of the Board of Education that Livonia Public Schools School District will not discriminate against any person on the basis of **sex, race, color, national origin, religion, height, weight, marital status, handicap, disability, sexual orientation, sexual identity, or transgender status**. The District reaffirms its long-standing policy of compliance with all applicable federal and state laws and regulations prohibiting discrimination including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d, et seq., and 42 U.S.C. §§ 2000e, et seq.; Title IX of the Educational Amendments of 1972, 20 U.S.C. §§ 1681, et seq., Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101, et seq., the Handicappers' Civil Rights Act, MCL §§ 37.1101, et seq.; and the Elliott-Larsen Civil Rights Act, MCL §§ 37.2101, et seq.

The Director of Student Services is appointed the Civil Rights Coordinator regarding complaints of disability/handicap discrimination involving educational services, programs, and activities. The Director of Human Resources is appointed the Civil Rights Coordinator regarding all other complaints of discrimination.

The Civil Rights Coordinator is designated to receive and resolve complaints from any person who believes that he/she may have been discriminated against in violation of this policy. Any person who believes he/she has been discriminated against in violation of this policy should file a written complaint with the Civil Rights Coordinator within ten (10) calendar days of the alleged violation. The Civil Rights Coordinator will then take the following action. **First, determine whether the complaint concerns allegations of (a) discrimination on the basis of sex in the educational programs and activities which it operates, including employment, admissions, recruitment, referrals, and collective bargaining, or (b) sexual harassment. If the allegations concern either of these matters, then the Civil Rights Coordinator must notify the Title IX Coordinator and the complaint shall be resolved in accordance with the Title IX grievance procedures of Administrative Regulation JAAA. Second, commence an investigation of the complaint, if the Title IX grievance procedures are not applicable based upon the conduct alleged. Third, arrange for a meeting to occur with the complainant, which may include School District staff who are knowledgeable of the facts and circumstances of the particular complaint or who have particular expertise which will assist in resolving the complaint. Fourth, complete the investigation of the complaint and provide in writing a reply to the complainant. If the Civil Rights Coordinator determines that a violation has occurred, he/she shall propose a fair resolution of the complaint and deliver the determination to the complainant and the School District's Superintendent. The complainant may appeal the Civil Right Coordinator's determination to the Superintendent by so notifying the Superintendent in writing within ten (10) calendar days of the Civil Rights Coordinator's determination. The Superintendent may conduct additional investigation of the facts and circumstances surrounding the complaint. The Superintendent shall affirm or reverse the Civil Rights Coordinator's decision and, if warranted, implement the**

Civil Rights Coordinator's proposed resolution or a modification thereof. The Superintendent's decision shall be final.

A person is not required to use the procedure outlined above and may instead file a complaint directly with the U.S. Department of Education Office for Civil Rights, 600 Superior Avenue East, Suite 750, OH 44114-2611.

Individuals who make complaints in good faith or are involved in the investigation of the complaint in accordance with this policy, shall be free from retaliation, threats, intimidation, coercion, discrimination and reprisal for reporting of the incident or participating in an investigation.

The District shall keep confidential the identity of the complainants, respondents, and witnesses, except as may be permitted by FERPA, or as required by law.

Retaliation is a separate violation distinct from the underlying complaint. Claims of retaliation, submitted in good faith and in writing to the Civil Rights Coordinator, shall be investigated pursuant to the procedures of this Board Policy. Individuals who engage in retaliation will be subject to corrective action or disciplinary action as indicated above, regardless of whether there has been a finding of cause for the underlying complaint.