SCHOOL BOARD

Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the School Board, its employees, or its agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy, or have a complaint regarding any one of the following:

1. Title II of the Americans with Disabilities Act, 42 U.S.C. §12101, et seq.;
4. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.;
5. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.;
6. Sexual harassment prohibited by the State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a); Illinois Human Rights Act, 775 ILCS 5/; and Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. Title IX sexual harassment complaints are addressed under policy 2:265, Title IX Sexual Harassment Grievance Procedure;
8. Bullying, 105 ILCS 5/27-23.7
9. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children;
10. Curriculum, instructional materials, and/or programs;
13. Provision of services to homeless students;
16. Employee Credit Privacy Act, 820 ILCS 70/.

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this grievance procedure. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused’s parents/guardians); this includes mediation.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint filed under this policy shall not be impaired by the person’s pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, the District will continue with a simultaneous investigation under this policy.

Deadlines

All deadlines under this policy may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, school business days means days on which the District’s main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student’s parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.
SCHOOL BOARD

Uniform Grievance Procedure

For any complaint alleging bullying and/or cyber-bullying of students, the Complaint Manager shall process and review the complaint according Board policy 7:180, Prevention of and Response to Bullying, Cyberbullying, Intimidation, and Harassment, in addition to any response required by the District. For any complaint alleging sexual harassment or other violation of Board policy 5:20, Workplace Harassment Prohibited, the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy.

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. If the Complainant is a student under 18 years of age, the Complaint Manager will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law or this policy, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time. If a complaint contains allegations involving the Superintendent or Board member(s), the written report shall be filed directly with the School Board, which will make a decision in accordance with paragraph four of the following section of this Policy. The Superintendent will keep the Board informed of all complaints.

Decision and Appeal

Within five school business days after receiving the Complaint Manager’s report, the Superintendent shall mail his or her written decision to the Complainant and the accused by first class U.S. Mail as well as to the Complaint Manager. All decisions shall be based upon the preponderance of evidence standard.

Within 10 school business days after receiving the Superintendent’s decision, the Complainant or the accused may appeal the decision to the School Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the School Board. Within 30 school business days, the School Board shall affirm, reverse, or amend the Superintendent’s decision or direct the Superintendent to gather additional information. Within five school business days after the Board’s decision, the Superintendent shall inform the Complainant and the accused of the Board’s action.

For complaints containing allegations involving the Superintendent or Board member(s), within 30 school business days after receiving the Complaint Manager’s or outside investigator’s report, the Board shall mail its written decision to the Complainant and the accused by first class U.S. Mail as well as to the Complaint Manager.

This policy shall not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing a Nondiscrimination Coordinator and Complaint Managers

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District’s efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others. The Nondiscrimination Coordinator also serves as the District’s Title IX Coordinator.
SCHOOL BOARD

The Superintendent shall appoint at least one Complaint Manager to administer this policy. If possible, the Superintendent will appoint two Complaint Managers, one of each gender. The District’s Nondiscrimination Coordinator may be appointed as one of the Complaint Managers. The Superintendent shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.

Uniform Grievance Procedure

Nondiscrimination Coordinator:

Name: Kellee Sullivan
Address: 521 South Pearl Street
E-Mail: sullivank@mcusd185.org
Telephone No. (309) 837-3993

Complaint Managers:

Name: F. Edward Fulkerson Mrs. Velvet Taflinger
Address: 1525 South Johnson St. 323 West Washington Street
Macomb, IL 61455 Macomb, IL 61455
E-Mail: fulkersone@mcusd185.org taflingerv@mcusd185.org
Telephone No. (309) 837-2331 (309) 833-4161

Americans with Disabilities Act, 42 U.S.C. §12101 et seq.
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
Title IX of the Education Amendments, 20 U.S.C. §1681 et seq.; 34 C.F.R. Part 106
State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a).
Illinois Genetic Information Privacy Act, 410 ILCS 513/.
Illinois Human Rights Act, 775 ILCS 5/.
Employee Credit Privacy Act, 820 ILCS 70/

SCHOOL BOARD

Adopted 9-16-97; Revised 8-30-99
Revised 5-21-01; Revised 10-21-02
Revised 1-20-04; Revised 10-16-06
Revised 01-23-08; Revised 10-19-09
Revised 02-23-11; Revised 01-25-16
Revised 10-16-17; Revised 06-18-18
Revised 03-18-19
Revised 05-18-20
Revised 12-14-20