

3. B. 7 Does this policy follow due process? The policy gives all due process to the admin in the school rather than through the court system as would be the case of an adult or juvenile breaking the law.

Procedure for Complaints of Discrimination against Students

District Policy 4110 prohibits unlawful discrimination in accordance with State and Federal law and regulations. Unlawful discrimination may include discrimination based on race, color, national origin, gender (including sexual harassment), sexual orientation, disability, citizenship status, age, or legally acquired genetic information. The District does not permit unlawful discrimination in any of its educational program, activities, or practices. This prohibition applies to unlawful discrimination by employees, students, and third parties, where such conduct occurs as part of the District's programs or activities. These District Regulations contain procedures designed to carry out the intent of said law and policy.

Complaints of unlawful discrimination against students may, but are not required to be, discussed initially and informally with a building administrator. Alternatively, or in addition to such discussions, a formal, written complaint may be filed with the building administrator, using free prose or the form (R-4110 F 1) provided in these Regulations. Failure to file a written complaint is not a failure to complain, and all complaints, whether oral or written, should be investigated in an expeditious manner. When a teacher, aide, or other employee receives a complaint from a student or parent, or observes behavior or practices prohibited by the District's nondiscrimination policy, the employee should complete the complaint form and submit it to the building administrator. The building administrator receiving a complaint shall, upon receipt of the complaint, give notice of the complaint to: (1) the Assistant Superintendent; (2) the Section 504 or Title IX compliance officer, if applicable; (3) the alleged victim (if the alleged victim is not the complainant; and (4) the alleged victim's parents (if the alleged victim is a minor). The building administrator shall also give notice of the complaint to the alleged perpetrator of unlawful discrimination and, if the alleged perpetrator is a minor, to the alleged perpetrator's parents.

The building administrator or his or her designee shall investigate the complaint. The investigator shall, after consultation with the alleged victim of unlawful discrimination, the complainant (if different from the alleged victim), and the alleged perpetrator of unlawful discrimination, identify all potential witnesses and other evidence. If the complaint involves Section 504 or Title IX, the Section 504 or Title IX compliance officer, as applicable, shall monitor and assist as needed with the investigation. The investigator must interview the alleged victim, the complainant (if different from the alleged victim), the alleged perpetrator, and other persons identified as witnesses to the event(s) believed to constitute unlawful discrimination.

Except for unusually complex circumstances, the investigator shall conclude the investigation and prepare a written report within ten school days of receipt of the complaint. The investigative report is to be forwarded to the Building Principal, the Assistant Superintendent, the Director of Pupil Personnel, and, if applicable, the District's Section 504 or Title IX compliance officer. The report filed must describe any recommended resolution and/or remedial action if the complaint is found to be valid, including training or other remedial actions to prevent future unlawful discrimination. If the complaint is found to be valid, the building administrator, in consultation with the Assistant Superintendent, Director of Pupil Personnel, and, if applicable, the Section

504 or Title IX compliance officer, shall take timely, age-appropriate action reasonably calculated to address the unlawful discrimination and its effects on the complainant and others and to prevent any further unlawful discrimination.

The building administrator shall provide the alleged victim and his or her parents, the alleged perpetrator, and, if the alleged perpetrator is a minor, the alleged perpetrator's parents, with written notice of the outcome of the investigation within two school days of the transmittal of the investigatory report to the Assistant Superintendent, subject to laws and regulations governing the confidentiality of student information.

Penalties for unlawful discrimination against any person, student or otherwise, or for retaliation against a person filing a complaint (**whether proven to be valid or invalid**), may include suspension or expulsion from school, or suspension (without pay) from or termination of employment. Other penalties may include, but are not limited to, oral or written warnings, written reprimand, transfer, and remediation in the form of compulsory training.

The District's 504 compliance officer is:

The District's Title IX compliance officer is:

Building Principals

Each High School

Technical Center

Each Middle School

Each Elementary School

Early Learning Center

Red indicates the questionable portions