1. Purpose

The Spring-Ford Area School District affirms that no person shall, on the basis of sex, disability, race, color, age, creed, religion, sexual orientation, national origin, ancestry, veteran’s status or genetic information be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any educational program or activity. In addition, no person shall, on any of these bases, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment, or recruitment, or consideration, or selection therefore, whether full-time or part-time, under any educational program or activity operated by the school district. The district shall make reasonable accommodations for qualified individuals with disabilities upon request.

The Board requires employees, students and third parties who have been subject to discrimination to promptly report such incidents to the building principal. In the event that the building principal is the alleged harasser or the person who engaged in discrimination, the complaining individual may report the incident directly to the Equal Opportunity Coordinator (Director of Human Resources.)

The Board directs that complaints of discrimination shall be investigated promptly and corrective action be taken when allegations are sustained. A substantiated charge against a school district employee or agent will subject such employee or agent to disciplinary action, up to and including discharge. School district employees who either condone or fail to act to correct harassment or discrimination brought to their attention also may be subject to disciplinary action. School district employees who become aware of harassment or discrimination involving a student and fail to report the complaint to the building principal or Equal Opportunity Coordinator will be subject to disciplinary action. A substantiated charge against a student shall subject such student to disciplinary action, up to and including suspension or expulsion. Confidentiality will be maintained throughout the investigation process to the extent practical and appropriate under the circumstances. In pursuing an investigation, the investigator will try to honor the complainant’s wishes, but the need to completely investigate all allegations will be the paramount concern.
103. NONDISCRIMINATION IN PARTICIPATION/EMPLOYMENT/ CONTRACT PRACTICES - Pg. 2

<table>
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<th>2. Delegation of Responsibility</th>
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<tr>
<td>20 U.S.C. Sec. 1681 et seq, 2301</td>
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<td>Responsibility for coordinating and directing the district's efforts to cooperate with state and federal authorities in attaining the goals embodied in the regulations set forth in Title IX of the Education Amendment Act of 1972 and Section 504 of the Rehabilitation Act of 1973 shall be vested in the office of the Equal Opportunity Coordinator (Director of Human Resources). The duties of that office shall include coordination of the school district's effort to comply with all aspects of the aforementioned laws and regulations including, but not limited to, the development and recommendation of policy, the initial processing of grievances under the provisions of law, dissemination of information concerning the school district's efforts to adhere to nondiscrimination regulations, and the disposition of such discrimination charges and/or grievances as may be filed under the provisions of law.</td>
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<th>3. Definitions</th>
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<td>20 U.S.C. Sec. 1681 et seq, 2301 et seq</td>
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<td>A grievance shall mean a complaint which has been filed by a student, parent, employee, or other person dealing specifically with regulations as set forth in Title IX of the Education Amendment Act of 1972 and/or Section 504 of the Rehabilitation Act of 1973. Normal channels of communication, from student to teacher to administrator to Board of Directors, should be used to seek clarification of questions of concern before the grievance procedure is utilized.</td>
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</table>

**Purpose** - the primary purpose of this procedure is to secure, at the earliest level possible, equitable solutions to a legitimate claim of a complainant. The proceedings shall be kept confidential at each level of this procedure to the extent practical and appropriate under the circumstances.
Time - the number of days indicated at each level shall be regarded as a maximum, and every effort shall be made to expedite the process. However, the time limits specified may be extended by mutual agreement of the complainant and the administration or if otherwise warranted.

Withdrawal - a complaint may be withdrawn by the grievant without any prejudice.

Hearings and Decisions - at each of the levels in the grievance procedure, the complainant shall be given the opportunity to be present and to be heard. The complainant may be represented by legal counsel. All decisions at each level, except the first, shall be in writing and shall include supporting reasons. Copies of all decisions and recommendations shall be furnished promptly to all parties.

Reprisals - no reprisal of any kind shall be taken by or against any party with legitimate interest of any legitimate participant in the grievance procedure by reason of such participation.

Disclaimer - in the adoption and implementation of this grievance procedure, it shall be understood that the Board of School Directors is not a court of law and the rules of evidence or civil procedure shall not apply.

4. Guidelines

The Grievance Process

Step 1 –
Within fifteen (15) calendar days after the alleged violation of regulations, the grievant shall initiate an informal discussion with the principal of the building. If the informal discussion does not resolve the issue, the grievant shall submit a written complaint to the principal. The principal or immediate supervisor shall respond within fifteen (15) calendar days.

Step 2 –
If a grievance is not resolved at Step 1, the grievant shall submit the written complaint to the Equal Opportunity Coordinator (Director of Human Resources) within fifteen (15) calendar days. The Coordinator has the authority to investigate the grievance and attempt a resolution. The Coordinator shall respond within fifteen (15) calendar days.
### Step 3 –

If the grievance is not resolved at Step 2, the grievant shall submit the complaint within fifteen (15) calendar days to a committee consisting of representatives from the Board of School Directors, Equal Opportunity Coordinator (Director of Human Resources), and the District Superintendent of Schools. The Equal Opportunity Coordinator (Director of Human Resources) shall respond on behalf of the committee within fifteen (15) calendar days.

### Step 4 –

If the grievance is not resolved at Step 3, the grievant shall refer the complaint to the Board of School Directors. The Board shall respond within thirty (30) calendar days.

The grievance procedures set forth in this policy neither supplement nor supplant the due process rights provided in the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, or 22 Pa. Code §§ 14 & 15.

The availability and use of this grievance procedure does not prevent an individual from filing a complaint with the responsible Federal or state department or agency.

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**Title 22 Sec. 14 & 15**

**References:**

School Code – 24 P.S. Sec. 13-1310

State Board of Education Regulations – 22 PA Code Sec. 4.4, 14 & 15

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Federal Anti-Discrimination and Civil Rights Laws –

- 20 U.S.C. Sec. 1681 et seq. (Title XI), 2301 et seq.
- 42 U.S.C. Sec. 2000e et seq. (Title VII)

Federal Anti-Discrimination and Civil Rights Regulations –

- 34 CFR Part 104

Equal Pay Act – 29 U.S.C. Sec. 206
Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794
Americans with Disabilities Act – 42 U.S.C. Sec. 12101 et seq.
SPRING-FORD AREA SCHOOL DISTRICT

UNLAWFUL HARASSMENT/SEXUAL HARASSMENT COMPLAINT FORM

The Complainant’s Name: _______________________________________________________________

The Respondent’s Name: ______________________________________________________________

1. The Complainant alleges that:

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
2. The Complainant alleges that the unlawful harassment/sexual harassment (check one):
   □ Took place on or about ____________________________________________
   □ Is of a continuing nature which has persisted up to and including the present.

3. The Complainant seeks the following relief:
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________

4. Explain how you would like this resolved:
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
   ____________________________________________________________________
5. Additional information to be considered as part of this complaint:

_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

, Complainant, hereby acknowledges that he/she is the Complainant herein; that he/she has read the foregoing Complaint and knows the contents thereof; that to the best of his/her knowledge, information, and belief the facts alleged are true and correct.

Complainant Signature: ____________________________ Date: __________________

Complainant’s Contact Information:
Phone Number: ____________________________ Email Address: ____________________________
Address: _____________________________________________________________________________
Preferred Method of Communication: _____________________________________________________