

**Nondiscrimination On The Basis Of Sex
(Compliance With Title IX)**

A. Designation of Responsible Employee

The superintendent shall designate an individual as the responsible employee to coordinate school district compliance with Title IX and its administrative regulations (Title IX Compliance Officer).

The Title IX Compliance Officer shall formulate procedures for carrying out the policies in this statement and shall be responsible for continuing surveillance of district educational programs and activities with regard to compliance with Title IX and its administrative regulations.

The superintendent shall, upon adoption of this policy and once each academic year thereafter, notify all students and employees of the district of the name, office, address and telephone number of the Title IX Compliance Officer. Notification shall be by posting and/or other means sufficient to reasonably advise all students and employees.

B. Grievance Procedures

It is the policy of the Board of Education that any student or employee shall have a ready means of resolving any claim of discrimination on the basis of sex in the educational programs or activities of the district. To this end, the superintendent shall assure that the Title IX Compliance Officer has a procedure in place for investigating and resolving complaints under this policy.

C. Dissemination of Policy

The superintendent shall notify applicants for admission, students, parents of elementary and secondary school students, sources of referral of applicants for admission, employees and applicants for employment that it does not discriminate on the basis of sex in the educational programs or activities which it operates and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.

Current practice codified 1984

Adopted: Date of manual adoption

Revised: August 2000

LEGAL REFS.: 20 U.S.C. 1681, 1682
 34 C.F.R. Part 106

CROSS REF.: ACA-R, Nondiscrimination on the Basis of Sex (Compliance with Title IX)

Adams County School District #1/Denver, Colorado

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1. Definitions

- a. Complaint: A written statement describing the claim that there has been discrimination on the basis of sex. The statement should furnish sufficient background concerning the alleged violation, including date(s), the identity of persons, and the actions and/or omissions that led to the allegation.
- b. Complainant: Any student claiming discrimination on the basis of sex in violation of Title IX.
- c. Party in Interest: Person or persons against whom a complaint is being made or whose interest may be adversely affected by any decision with respect to such complaint.
- d. Title IX Compliance Officer: Unless otherwise designated by the superintendent, the Director of Human Resources is the person designated to coordinate the district's efforts in complying with Title IX and to be responsible for investigating complaints.
- e. Days: For an employee complainant, days on that employee's work schedule; for a student or member of the public who is a complainant, days on which school is in session for students.

2. General Conditions

The procedure below is designed for the prompt and equitable resolution of student, employee, and public complaints involving discrimination on the basis of sex in violation of Title IX. If a complaint concerns a matter within the purview of an established grievance procedure contained in an employee group's contract, that grievance procedure should be used to resolve the complaint in lieu of the procedure described below.

Every effort should be made to resolve the complaint at the lowest possible level.

All parties directly involved in the complaint may be present at each step in the procedure. The complainant may be represented by an advocate at all steps and both parties may have legal representation at steps 2 and 3. A student under the age of 18 may have a parent or guardian present at all steps. The names of any representatives must be declared in writing at least two days prior to the step at which their presence has been requested. Representation is limited to a maximum

of two persons per party. At every step, the complainant and party in interest shall be notified in writing of the recommendation or decision that has been reached.

Any information received during this process shall be confidential. No information learned through it shall be made available to anyone unless that person has a legitimate interest in the record of the proceedings.

Each school shall inform students and their parents of this policy and regulation, and shall make copies of them available upon request.

3. Complaint Procedure

a. Initial Communication

A complainant should, if possible, try to resolve the matter directly and informally with the party in interest within 10 days from the date of the alleged discrimination. A parent/guardian, spouse, or staff member may serve as an advocate for this initial contact.

b. Review

If the matter cannot be resolved informally at the initial level, the complainant or advocate should submit a written complaint to the school or office administrator and the Title IX Compliance Officer within 20 days from the date of the alleged discrimination. If the school or office administrator is a party in interest, the complainant may elect to send the written complaint to the Title IX Compliance Officer only.

The Title IX Compliance Officer will investigate the complaint and meet to resolve the situation with the complainant and party in interest within 10 days from the date the written complaint is received. The Title IX Compliance Officer shall send a written recommendation of resolution to the complainant and the party in interest within five days of their meeting.

c. Appeal to Superintendent

If either party is not satisfied with the recommendation made in step 2, he or she may submit a written request for review, with copies of the complaint and the recommendation attached, to the superintendent within five days from the date of the written recommendation. A copy of the request for review should also be sent to the Title IX Compliance Officer.

The superintendent or designee shall investigate further and make a written recommendation to the complainant and party in interest within 10 days from the time the superintendent received the written complaint.

The superintendent's decision shall be final, unless the Board of Education accepts the matter for review.

d. Board of Education

If either party is not satisfied with the decision of the superintendent, he or she may appeal to the Board of Education. Such appeal shall be directed in writing to the Secretary of the Board and the superintendent and shall include at least all prior decisions and a statement of the complaint and reasons for the appeal.

The Board shall have the discretion to accept or reject the matter for review. If it rejects the matter, the superintendent's decision shall be final. If it accepts the matter, the Board shall schedule a meeting at which it will consider the appeal. At such meeting, the Board may hear argument from the parties, review the prior decisions and evidence, and make such inquiry as it deems necessary. The Board shall render a written decision within 10 working days after this meeting unless additional time is needed. The Board's decision shall be final.

Approved: August 2000

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