**Title IX Policy**

**Notice of Non-Discrimination**

The Copan Public School does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies:

 Superintendent Christopher Smith

 527 Hornet Lane

 PO Box 429

 Copan, OK 74022

918-532-4344

The persons responsible for coordinating the District’s efforts to comply with and carry out the District’s responsibilities under Section 504 and Title II of the Americans with Disabilities Act are:

 Section 504 Coordinator Title II Coordinator

 Kristi Delapp Kristi Delapp

 527 Hornet Lane 527 Hornet Lane

 PO Box 429 PO Box 429

 Copan, OK 74022 Copan, OK 74022

 918-532-4344 918-532-4344

For further information on notice of non-discrimination, you may call 1-800-421-3481 or contact the OCR enforcement office below that serves Oklahoma.

 Kansas City Office

 Office of Civil Rights

 U.S. Department of Education

 8930 Ward Parkway, Suite 2037

 Kansas City, MO 64114-3302

 Telephone: 816-268-0550

 Fax: 816-823-1404: TDD: 877-521-2172

 Email: OCR.KansasCity@ed.gov

**COPAN GRIEVANCE PROCEDURE FOR FILING, PROCESSING**

**AND RESOLVING COMPLAINTS ALLEGING DISCRIMINATION**

**DEFINITIONS**

**Discrimination Complaint:** A written complaint alleging any action, policy, procedure or practice that discriminates on the basis of race, color, national origin, sex, religion, age or disability (including harassment and retaliation).

**Grievant:** Any person enrolled in or employed by the District or a parent, guardian, or member of the public who submits a complaint alleging discrimination based on sex, race, color, national origin, religion, age or disability (including harassment or retaliation). For purposes of this policy, a parent or guardian’s complaint or grievance shall be handled in the same manner as a student’s complaint would be.

**Title VI, Title IX, 504/Title II, and Age Act Coordinator(s):** The person(s) designated to coordinate efforts to comply with and carry out responsibilities under Title VI of the Civil Rights Act, Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act and any other state and federal laws addressing equal educational opportunity. The Coordinator under Title VI, IX, Section 504/Title II and the Age Act is responsible for processing complaints and serves as moderator and recorder during hearings. The Coordinator of each statutory scheme may be the same person or different persons.

**Section 504 Coordinator** ***– Kristi Delapp*** (for questions or complaints based on disability concerning students and employees)

PO Box 429, Copan, OK 74022 918- 532-4344

**Title II of the Americans with Disabilities Act Coordinator**- ***Kristi Delapp*** (for questions or complaints based on disability concerning students, employees, patrons, and other adults).

 PO Box 429, Copan, OK 74022 918-532-4344

**Title VI Coordinator** (for questions or complaints based on race, color and national origin), **Title IX** (for questions or complaints based on sex), **and Age Act** (for questions or complaints based on age)-

***Superintendent Christopher Smith***

PO Box 429, Copan, OK 74022 918-532-4344

Respondent: The person alleged to be responsible for the alleged discrimination contained in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for the procedures and policies in those areas covered in the complaint.

Day: Day means a working day when the District’s main administrative offices are open. The calculation of days in complaint processing shall exclude Saturdays, Sundays and legal holidays.

***If as a result of a disability you need assistance in completing any of these forms, please contact the District’s Section 504 or Title II Coordinator for assistance or accommodation.***

Respondent: The person alleged to be responsible for the alleged discrimination contained in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for the procedures and policies in those areas covered in the complaint.

Day: Day means a working day when the District’s main administrative offices are open. The calculation of days in complaint processing shall exclude Saturdays, Sundays and legal holidays.

PRE-FILING PROCEDURES

Prior to the filing of a written complaint, the student, parent or guardian, employee or patron is encouraged to visit with the building principal or the Coordinator, as applicable, and reasonable effort should be made by the District at this level to resolve the problem or complaint.

FILING, INVESTIGATION, HEARING AND REVIEW PROCEDURES

 The Grievant submits a written complaint to the Coordinator as applicable, stating the basis, nature and date of the alleged discrimination, the names of persons responsible (where known) and requested action. If the applicable Coordinator is the person alleged ot have committed the discriminatory act(s), then the complaint should be submitted to the Superintendent for assignment. Complaint forms are available from the offices of the District’s Coordinators.

 The Coordinator conducts a complete and impartial investigation within 10 days of receiving the complaint, to the extent reasonable possible, which shall include but not be limited to, interviewing the Grievant and any witnesses, review of documents and interviewing the Respondent. The Coordinator will ask the Respondent to (a) confirm or deny facts: (b) indicate acceptance or rejection of the Grievant’s requested action: and (c) outline alternatives.

 As to complaints of discrimination by students, parents or guardians and school employees, the Coordinator will disclose the complaint, the identity of the Grievant and information regarding the person who allegedly committed the discriminatory act only to the extent necessary to fully investigate the complaint and only when the disclosure is required or permitted by law. If a Grievant wishes to remain anonymous, the Coordinator will advise him or her that such confidentiality may limit the District’s ability to fully respond to the complaint. If a Grievant asks to remain anonymous, the Coordinator will still proceed with the investigation.

 Within 5 days after completing the investigation, the applicable coordinator will issue a written decision to the Grievant and Respondent.

 If the Grievant or Respondent is not satisfied with the decision, he or she must notify the applicable Coordinator within 5 days and request, in writing, an appeal to the Superintendent. The written appeal shall contain a specific statement of the basis for the appeal.

 Within 5 days after receiving the appeal, the applicable Coordinator will refer the appeal and the evidentiary record created below to the Superintendent. The applicable Coordinator will schedule a hearing with the Grievant, Respondent and Superintendent within 10 days of receiving the appeal.

 The Superintendent will act as a intermediate level of appeal by reviewing the principal or designee’s decision and the oral and written evidence presented below and making a decision. At the hearing, the Superintendent may ask for additional oral or written evidence from the parties and any other individual he or she deems relevant. The applicable Coordinator will make arrangements to audiotape any oral evidence presented.

 Within 5 days after the hearing, the Superintendent will issue a final decision in writing to all parties involved.

 If the Grievant or Respondent is not satisfied with the decision, he or she must notify the Coordinator, in writing within 5 days and request an appeal to the Board of Education. The written appeal shall contain a specific statement explaining the basis for the appeal.

 The Coordinator, will notify the Board of Education, in writing, within 5 days after receiving the appeal. The clerk will place the appeal of a board agenda within 30 days from the date of notification to the Board of Education.

 The Board will act as an appellate body by reviewing the decisions and the oral and written evidence presented below and making a decision. At the board meeting, the Board may ask for oral or written evidence from the parties and any other individual it deems relevant. The clerk will make arrangements to audiotape any oral evidence presented. Within 5 days of the meeting, the Board will issue a final decision in writing to all parties involved.

GENERAL PROVISIONS

**Extension of time**: Any time limits set by these procedures may be extended by mutual consent of the parties involved. The total number of days from the date the complaint is filed until the Board of Education issues a final decision shall be no more than 120 days.

**Access to Regulations**: Upon request, the Coordinator shall provide copies of any regulations prohibiting discrimination on the basis of race, color, national origin, religion, sex, age or disability.

**Confidentiality of Records**: Complaint records will remain confidential, to the extent allowed by law, unless permission is given by the parties involved to release such information. All complaint records will be kept separate from any other records of the District. No complaint record shall be entered in any personnel file unless adverse employment action is taken against and employee. Complaint records shall be maintained on file for three years after complaint resolution.

**Representation**: The Grievant and the Respondent may have a representative assist them through the grievance process and accompany them to any hearing.

**Retaliation**: The District prohibits retaliation, intimidation, threats, or coercion of any person for opposing discrimination or for participating in the District’s discrimination complaint process or making a complaint, testifying, assisting, appealing, or participating in any other discrimination complaint proceeding or hearing. The District will take steps to prevent the alleged perpetrator or anyone else at the District from retaliating against the alleged victim or any person who acts to oppose discrimination or participates in the complaint process. These steps include notifying students and employees that they are protected from retaliation, making sure that victims know how to report future problems and making follow-up inquiries to see if there have been any new incidents. If retaliation occurs, the District will take strong responsive action.

**Basis of Decision**: At each step in the grievance procedure, the decision maker will take or recommend the taking of appropriate measures based on the facts, as revealed by the investigation and hearing, taken as a whole, and the totality of the circumstanced, such as the nature, extent, context and gravity of the activities or incidents.

**Section 504 Due Process Procedures**: For information concerning the impartial hearing and review procedures under Section 504, the Grievant should Contact:

Section 504 Coordinator***: Kristy Delapp***

527 Hornet Lane

PO Box 429

Copan, OK 74022

918-532-4344

**Notice**: The District will notify all students, parents or guardians, members of the public and employees of the name, office and telephone number of each Coordinator and this Grievance Procedure in writing via school publications and/or postings at each school site to which employees or students are assigned.

**Discrimination Grievance Complaint Form**

Name and Address of Charging Party (Grievant):

Date**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Phone numbers where Grievant may be reached:

Home**:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** Office:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Cell:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Statement of grievance (please provide as detailed a statement as is possible and attach additional pages so that we may have a complete understanding of your concerns):

Please identify any documents or other materials that support your grievance. If documents or materials are in your possession, please attach copies to this grievance. If documents or materials are not in your possession, please indicate where they are located.

Please identify what action or relief you are seeking as a result of this grievance.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature of Grievant

REGULATION

**ASSURANCE AND NOTIFICATION**

**OF EQUAL OPPORTUNITIES**

Local Assurances

Generally, a grievance is defined as any allegation of non-compliance with the law. The initial approach to solving a grievance should be to talk with the building principal. In most cases, concerns can be resolved at this level. However, if further assistance is needed, the following steps are to be used in any complaint or grievance.

 Step l: The complainant must present, in written form, the complaint to the office of the superintendent within ten (10) working days of the alleged incident. Use Grievant Report 105..R.2.

 Step 2: The superintendent shall have five (5) working days to investigate and respond to the complainant. Use Grievance Report 105..R.2.

 Step 3: If not satisfied, the complainant may appeal within ten (10) working days to the local board of education, which will hear the complaint at the next regular public meeting or within thirty (30) calendar days. Use Appeal 105..R.3.

The local board hearing shall be conducted so as to accord due process to all parties involved in the complaint with written notice of hearing dates, right to council, right to present witnesses, right to cross examine, and the present written statements. The decision of the board shall be by a majority of the members in attendance.

 Step 4: The local board of education shall respond to the complainant within thirty (30) calendar days. Use Appeal 105..R.3.

 Step 5: If the complainant is not satisfied with the local board of education’s decision, an appeal may be made to the State Board of Education.

Assurance Forms

* The Office of Civil Rights, US Department of Education, requires assurance forms to be filed before an application for federal assistance can be approved.
* The forms are kept on file and are in force as long as the recipient continues to receive federal financial assistance.
* Recipients are prohibited from subcontracting with another entity that discriminates against protected class members.
* The recipient must also assure that it does not engage in discriminatory practices indirectly by hiring another entity to do what it could do directly if that hiring of another entitiy would result in discrimination.
* The recipient is prohibited from participating in a contractual or other arrangement or relationship that has the effect of subjecting the covered entity’s own qualified applicant or employee with a disability to discriminate.
* These assurances will be mailed to Office of Civil Rights, US Department of Education, 1200 Main Tower Building, Suite 2260, Dallas, Texas 75202-9998.
* A file copy shall be maintained in the district assurance files.

Notification

* Prior to the beginning of each school year, the district shall provide students, parents, employees and the general public with a notice that the district does not discriminate.
* A shorter version of the policy notification shall be included on bulletins, course announcements, catalogs, application forms, enrollment forms, brochures and recruitment or promotional materials.

Reference: Title VI, Office of Civil Rights Act, 1964

 Title IX, Education Amendments, 1972

 Section 504, Rehabilitation Act, 1973

 Americans with Disabilities Act, 1990

REGULATION

**GRIEVANCE REPORT**

Copan Public Schools

**Grievance Report**

Name of Complainant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Complaint: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Statement of complaint (Attach additional sheets as necessary.)

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature of Compliant

Date received by Superintendent \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Recommendation:

Date response given: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature of Superintendent

REGULATION

**APPEAL FORM**

**Copan Public Schools**

**Appeal Form**

Name of Complainant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Appeal: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reason for Appeal:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature of Complainant

Date received by the clerk of the board: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Recommendations of the board of education:

Date recommendations given: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature of Board President

**Signature Sheet**

By providing your signature below, you confirm that you have read these policies and procedures in the student handbook, understand them, and agree to abide by them.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent Signature Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Student Signature Date