

**GRIEVANCE AND APPEAL PROCESS FOR SAU #70
IN COMPLIANCE WITH TITLE IX REGULATIONS
IMPLEMENTING EDUCATION AMENDMENTS**

A. Definitions and Coverage

1. Any person may file a grievance against any school in School Administrative Unit #70 (SAU 70) for non-compliance under the provisions of Title IX, by filing said grievance in writing with the Assistant Superintendent of SAU 70 who is named as “designated employee” under 86.8 of the Title IX Regulation.
2. The term “grievance,” when used in this grievance procedure, shall mean any claim that any person is SAU 70 who has suffered harm, whether economic or otherwise, as a result of the violation or the improper, incorrect, or wrongful interpretation or application of the Title IX Regulation.
3. The rights and remedies established and provided by this grievance procedure are without prejudice to, and in addition to, any and all rights and remedies, whether administrative, at law, or in equity, guaranteed or provided an individual by the constitutions and laws of the State of Vermont, New Hampshire, and the United States.
4. Failure at any step of this procedure to communicate a decision on a grievance within the time limit specified shall permit the grievant to proceed to the next step. Failure by a grievant at any step of this procedure to appeal a grievance to the next step in the time limit specified shall be deemed a waiver of further appeal of the decision within the SAU 70 level.
5. The grievant shall, during and notwithstanding pendency of any grievance, continue to observe all assignments and applicable rules and regulations of the District.
6. Any person in SAU 70 has the right to bypass the local grievance procedure and file a complaint with the Office for Civil Rights of the US Department of Health, Education, and Welfare. In addition, any person has the right to initiate a private suit or court action.
7. The grievant has the right to be represented by counsel of his/her choice at any time in this procedure.

B. Procedure

1. A grievance shall be considered only if submitted in writing to the Assistant Superintendent of Schools before the expiration of thirty (30) calendar days from the day on which the grievant first knew, or reasonably should have known, of the alleged act, omission to act, or occurrence giving rise to the grievance that causes this grievance to be filed. Such writing shall briefly state the nature of such act, omission to act, or occurrence.
2. The Assistant Superintendent shall refer the grievance, within three (3) school days of its receipt, to the appropriate building principal and for information to the building grievance committee.
3. The principal and the grievant should attempt to resolve the grievance. The principal will, within five (5) school days of receipt of the grievance, render a decision in writing to the grievant. If the decision of the building principal does not resolve the grievance to the satisfaction of the grievant, he/she may no later than five (5) school days after his/her receipt of the principal's decision, appeal to the building grievance committee. Such appeal shall be in writing and shall briefly specify the nature of the alleged act, omission to act, or occurrence giving rise to the grievance and the basis of the grievant's objection to the principal's decision.
4. The building committee and grievant shall meet to informally discuss the appeal in an attempt to resolve the matter before the expiration of ten (10) school days from the date on which the grievant filed his appeal.
5. The building committee shall render their decision in writing with respect to the appeal before the expiration of five (5) school days from the day on which they and the grievant met to discuss the appeal.¹
6. If the decision of the building committee does not resolve the grievance to the satisfaction of the grievant, he/she may, no later than five (5) school days after his/her receipt of the decision of the building committee, appeal that decision to the SAU 70 Grievance Committee by filing the appeal with the Assistant Superintendent's office. The Assistant Superintendent shall call a SAU 70 Grievance Committee meeting to review the grievance within ten (10) school days of receipt of the appeal. Notice of the date of the meeting set to review the grievance shall be forwarded in writing to the grievant, the building

¹ Copies of written decision at this level should be sent to the Assistant Superintendent of Schools for information. The Assistant Superintendent's office will keep a file of all decisions in regard to all Title IX grievances.

principal, and the building grievance committee, all of whom may attend and be heard.

7. The SAU 70 Grievance Committee shall, in writing, communicate its decision to the grievant, the principal, and to the building committee within ten (10) school days of the date of the meeting held to review the grievance and appeal.
8. If the decision of the SAU 70 Grievance Committee does not resolve the grievance to the satisfaction of the grievant, he/she may, no later than twenty (20) school days after his/her receipt of the decision of the SAU 70 Grievance Committee, submit a written request to appeal with the Assistant Superintendent of Schools who shall place the grievance on the agenda of the appropriate School Board. This Board review should occur within two regularly scheduled School Board meetings.
9. The local School Board must grant a hearing and render a decision within sixty (60) days of the date the grievance/appeal was placed as an article on the agenda. The grievant, the building committee, the principal, and the SAU 70 Grievance Committee shall be advised of the date of the hearing and invited to attend and be heard.
10. A Grievance not settled by the end of the school year shall continue on the above time schedule for action when possible, except that at the discretion of the grievant and the Assistant Superintendent all action may be immediately referred to the school board level.

Dresden and Hanover Board

Adopted: 13 April 1976

Norwich Board

Adopted: 29 April 1976

Recoded from **IKM** to **ACG** 15 July 2009