

TITLE IX GRIEVANCE PROCEDURE
EMPLOYEE AND STUDENT

The Board of Education shall not discriminate on the basis of sex in the educational programs or activities of the District that receive federal financial assistance. This prohibition encompasses discrimination based on an individual's gender identity, including discrimination based on an individual's transgender status. The Board hereby designates the following employee as the Title IX Compliance Officer for the District:

Mr. David O. Heflinger
Superintendent
Field Local School District
2900 State Route 43, Door #5
Mogadore, OH 44260
330-673-2659
david.heflinger@fieldlocalschools.org

The Title IX Compliance Officer's duties shall include, but not be limited to, coordinating the District's effort to comply with and carry out its responsibilities under Title IX and carry out an investigation of any complaint communicated to the District alleging its noncompliance with Title IX or alleging any uses which would be prohibited by Title IX in accordance with the procedures set forth hereinafter. The Title IX Compliance Officer may be assisted by such additional personnel as from time to time may be appointed.

Complaints involving alleged discrimination on the basis of sex in any program or activity that receives federal financial assistance, whether carried out by District employees, students, or third parties, shall be handled in accordance with the following procedure unless a policy has been adopted to deal with the specific discrimination. If a more specific policy exists, that policy shall be followed.

Step 1:

Any student or employee who has a complaint of alleged sex discrimination shall attempt promptly to resolve the complaint by discussion with the building principal or immediate supervisor in case of classified employees. If the building principal or immediate supervisor is the subject of the complaint, the complaint should be filed with the Title IX Compliance Officer. If the Title IX Compliance Officer is the subject of the complaint, the complaint can be filed directly to the Board. The complaint should be in writing and describe, in as much detail as possible, the facts of the situation. The principal or supervisor shall keep a written record of the discussion and provide a copy to the student or employee involved.

Step 2:

If the complaint is not resolved in Step 1, the complainant may, within ten (10) calendar days after receiving an answer, file the complaint in writing with the Title IX Compliance Officer and

mail a copy to the principal or supervisor involved. The Title IX Compliance Officer shall arrange a meeting to discuss the complaint within ten (10) calendar days after receiving the written complaint, and subsequent meetings may be scheduled as agreed to by both parties. The Title IX Compliance Officer shall conduct an adequate, reliable, and impartial investigation of complaints, and shall allow the complainant to identify witnesses and other evidence. The Title IX Compliance Officer shall give a written answer to the complainant by certified mail, return receipt requested, within ten (10) calendar days after the final meeting regarding the complaint. A copy of the written answer shall also be provided to the accused and the building principal or supervisor.

Step 3:

If the decision rendered by the Title IX Compliance Officer does not resolve the complaint to the satisfaction of the complainant or the accused, such person can, within ten (10) calendar days, appeal in writing to the Board. The notice of appeal shall be sent to the Title IX Compliance Officer and a copy filed with the Treasurer of the Board. Failure to file such appeal within ten (10) calendar days from the receipt of the written memorandum of the Title IX Compliance Officer's action on said grievance shall be deemed a waiver of the right to appeal. The Superintendent shall place the matter on the agenda for the next meeting of the Board to be held within thirty (30) days, and the complainant and the accused shall be advised in writing of the time, place, and date of the meeting.

The complainant and the accused shall receive written notice of the meeting no less than five (5) calendar days in advance of the meeting. The Board shall act upon such appeal officially no later than its next regular meeting following the meeting with the complainant. Copies of the final decision shall be sent to the complainant, the accused, the Title IX Compliance Officer, and the building principal or supervisor. The decision of the Board shall be final.

If the grievance cannot be resolved through the above procedure, a request for an official interpretation may be filed with the U.S. Department of Education – Office for Civil Rights, Bank One Center, Room 750, 600 Superior Avenue East, Cleveland, Ohio 44114-7650.

If discrimination in violation of Title IX is found to have occurred, steps will be taken to prevent its reoccurrence and to remedy its effects on the complainant, and others, if appropriate. The District will use a “preponderance of the evidence: standard to determine whether a hostile environment exists.

LEGAL REFS: 34 C.F.R. 106.8

U.S. Dept. of Justice and U.S. Dept. of Education, Dear Colleague Letter:
Transgender Students, May 13, 2016

Adopted: November 21, 2016