

EQUAL EDUCATIONAL OPPORTUNITY; EQUAL EMPLOYMENT OPPORTUNITY; NONDISCRIMINATION

Lincoln County School District provides Equal Educational Opportunities and Equal Employment Opportunities and does not discriminate on the basis of race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, gender identity or expression, or any other category protected by applicable state or federal law in its program and activity, including employment, and provides equal access to the Boy Scouts of America and other designated youth groups.

The following procedure, “DISCRIMINATION COMPLAINT/GRIEVANCE PROCEDURE,” describes the school district’s procedures for resolving allegations of discrimination based on race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, gender identity or expression, or any other category protected by applicable state or federal law in its program and activity, including employment, and provides equal access to the Boy Scouts of America and other designated youth groups. The school district has a separate procedure described in Administrative Regulation **JBA/GBN-AR** which describes the school district’s grievance process for resolving allegations of discriminatory harassment based on sex in violation of Title IX.

Specific Complaint Procedures

The school district has specific complaint procedures for certain allegations of discrimination and harassment, as follows:

Employee Complaints:

1. For employee complaints alleging bullying, harassment (**except sexual harassment prohibited by Title IX**), discrimination and/or retaliation, see the procedures in Board Policy GBB1 and Administrative Regulation GBB1-AR (harassment, discrimination, retaliation) and Board Policy GBBC and Administrative Regulation GBBC-AR (employee bullying and cyber-bullying).
2. For employee complaints alleging sexual harassment prohibited by Title IX, see the grievance process in Board Policy JBA/GBN and Administrative Regulation JBA/GBN-AR.
3. For employee complaints alleging discrimination, including harassment, based on disability, see the procedures in Board Policy ACA and Administrative Regulation ACA-AR.

Student Complaints:

4. For student complaints alleging bullying and/or cyber-bullying (**except sexual harassment prohibited by Title IX**), see the procedures in Board Policy JFCFA and

Administrative Regulation JFCFA-AR, and Board Policy GBB5 and Administrative Regulation GBB5-AR.

5. For student complaints alleging sexual harassment prohibited by Title IX, see the grievance process in Board Policy JBA/GBN and Administrative Regulation JBA/GBN-AR.
6. For student complaints alleging discrimination, including harassment, based on disability, see the procedures in Board Policy JBAA and Administrative Regulation JBAA-AR.

Students, parents/guardians, employees, or other individuals may **use the following procedure** to file a complaint **for all other allegations of discrimination** on the basis of race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, sex, gender identity or expression, or any other category protected by applicable state or federal law in its program and activity, including employment, and including the provision of equal access to the Boy Scouts of America and other designated youth groups.

What is discrimination?

Discrimination is unfair or unlawful treatment of a person or group because they are part of a defined group, known as a protected class. Discrimination may include treating a person or group differently or denying someone access to a program, service, or activity, because they are part of a protected class, or failing to accommodate a person's disability. Discriminatory harassment is verbal or physical harassment based on a protected class.

What is a protected class?

A protected class is a group of people who share common characteristics and are protected from discrimination and harassment by federal, state, or local laws. Protected classes in the school district are those groups identified in the nondiscrimination statement above, such as race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, or gender identity or expression.

How do I file a complaint about discrimination?

If you believe that you or your student has experienced discrimination or discriminatory harassment in the school district, you have the right to file a formal complaint. All formal complaints must: (a) be in writing, (b) be signed by the complainant, and (c) set forth the specific acts, conditions, or circumstances alleged to have occurred that constitute discrimination. Before filing a complaint, you may want to discuss your concerns with the following school official:

Sharon Dirks, Director of Human Resources
Lincoln County School District
1191 E. Edwards Street
Panaca, NV 89042
(775)726-3772
sdirks@lcsdnv.com

Will my complaint be kept confidential?

Confidentiality cannot be guaranteed. We often need to disclose the identity of the complainant

to investigate complaint allegations. We will attempt to maintain as much confidentiality as possible by sharing information only with those persons who are considered essential to the investigation and disposition of your complaint. Due process requirements for any person(s) complained about may also require that the school district release information regarding the complaint to the accused. Therefore, requests that any accused person *not* be informed of the complaint may limit our ability to respond to, investigate, and resolve your formal complaint concerns.

Is retaliation prohibited?

Yes. It is both illegal and against school district policy for anyone to retaliate against you for filing your complaint.

COMPLAINTS TO AN EXTERNAL AGENCY

If a party is not satisfied at any time, including with the Superintendent's decision, the party may file a complaint with the Office for Civil Rights ("OCR") at the United States Department of Education, Office for Civil Rights, 915 2nd Avenue, Suite 3310, Seattle, WA, 981174-1099, (206)684-4500. Individuals may also file complaints with any other civil rights entities such as the Nevada Equal Rights Commission:

- Las Vegas Office: 1820 East Sahara Avenue, Suite 314, Las Vegas, NV 89104, phone (702)486-7161, fax (702)486-7054
- Northern Nevada Office: 1325 Corporate Blvd., Room 115, Reno, NV 89502, phone (775) 823-6690, fax (775)688-1292.

In addition, direct complaints related to employment may be filed with the Nevada Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

DISCRIMINATION COMPLAINT/GRIEVANCE PROCEDURE

All complaints alleging discrimination will be addressed under applicable district procedures and processes, regardless of whether the complainant accesses the applicable procedure in the first instance. Complaints regarding the interpretation or application of the district's nondiscrimination policy shall be processed in accordance with the following procedures:

Informal Procedure

Any person who feels that he/she has been discriminated against should discuss the matter with the building principal, who shall in turn investigate the complaint and respond to the complainant within five school days. If this response is not acceptable to the complainant, he/she may initiate formal procedures.

If the building principal is the subject of the complaint, the individual may file a complaint directly with the superintendent. If the superintendent is the subject of the complaint, the complaint may be filed with the Board chair.

Formal Procedure

Step I: A written complaint must be filed with the building principal within five school days of receipt of the response to the informal complaint. The written complaint may be mailed or delivered in person to the building principal. The building principal shall further investigate, decide the merits of the complaint and determine the action to be taken, if any, and reply, in writing, to the complainant within ten school days.

A format for the written complaint appears on the following pages of this Administrative Regulation.

Step II: If the complainant wishes to appeal the decision of the principal, he/she may submit a written appeal to the superintendent within five school days after receipt of the building principal's response to the complaint. The superintendent shall meet with all parties involved, as necessary, make a decision and respond, in writing, to the complainant within ten school days.

Step III: If the complainant is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board within five school days of receipt of the superintendent's response to Step II. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative at the next regular or special Board meeting. A copy of the Board's decision shall be sent to the complainant within ten days of this meeting.

Describe Your Complaint

Please describe your complaint. Specifically, how were you or your child discriminated against or treated differently from others on the basis of race, color, religion, national origin, ancestry, disability, age, marital status, sex, sexual orientation, gender identity or expression, or any other category protected by applicable state or federal law? Attach additional pages, if necessary.

[Empty box for describing the complaint]

Please identify all school district employees to whom you have reported your concerns:

Reported to (Name) Date(s)

Describe how concerns were reported

Describe results

Reported to (Name) Date(s)

Describe how concerns were reported

Describe results

Please identify person(s) who have relevant information concerning your complaint:

Name

Relationship to you (colleague, friend, family member, teacher, etc.)

Phone Number Email

Name

Relationship to you (colleague, friend, family member, teacher, etc.)

Phone Number Email

Name

Relationship to you (colleague, friend, family member, teacher, etc.)

Phone Number Email

Corrective Action Desired

How would you like the school district to resolve your complaint? Attach additional pages, if needed.

Your Signature

Date