

## NON - DISCRIMINATION / EQUAL OPPORTUNITY

The Board is committed to a policy of nondiscrimination in relation to race, color, religion, sex, age, national origin, and disability. This policy will prevail in all matters concerning staff members, students, the public, educational programs and services, and individuals with whom the Board does business.

For information regarding discrimination grievance or complaint procedures contact the District Compliance Officer:

Assistant Superintendent of Human Resources  
Dysart Unified School District No. 89  
15802 N. Parkview Place  
Surprise, AZ 85374  
(623) 876-7000

*Adopted:* August 27, 2008

LEGAL REF.: A.R.S. 23-341  
41-1463  
20 U.S.C. 1400 *et seq.*, Individuals with Disabilities  
Education Act  
20 U.S.C. 1681, Education Amendments of 1972, Title IX  
20 U.S.C. 1703, Equal Employment Opportunity Act of 1972  
29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)  
42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII  
42 U.S.C. 12101 *et seq.*, Americans with Disabilities Act  
Arizona Constitution, Ordinance Art. XX, Par. Seventh

CROSS REF.: ACA - Sexual Harassment  
GBA - Equal Employment Opportunity  
IHBA - Special Instructional Programs and  
Accommodations for Disabled Students  
JB - Equal Educational Opportunities  
KED - Public Concerns/Complaints about Facilities or  
Services

**REGULATION****REGULATION****NONDISCRIMINATION / EQUAL OPPORTUNITY****Compliance Officer**

The Compliance Officer is the Assistant Superintendent for Human Resources. Any person who feels unlawfully discriminated against or to have been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the Compliance Officer. If the Compliance Officer is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board. Complaints to either the Compliance Officer or Board President should be filed at the following address: Dysart Unified School District No. 89, 15802 N. Parkview Place, Surprise, AZ 85374 (623) 876-7000.

**Complaint Procedure**

Complaints should be filed within sixty (60) days of the incident. To request a waiver of this timeline, contact the Compliance Officer. If possible, complaints should be filed in writing on the District's complaint form. If this is not possible, contact the Compliance Officer.

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Compliance Officer shall investigate and document complaints filed pursuant to this regulation within twenty (20) school days of receipt of the complaint. Any person filing a complaint can present any relevant evidence or witnesses to the Compliance Officer and the Compliance Officer will consider this evidence. In investigating the complaint, the Compliance Officer will maintain confidentiality to the extent reasonably possible. The District shall also investigate incidents of policy violation that are raised by the Governing Board, even though no complaint has been made.

The Compliance Officer will notify the complainant of the results of the investigation in writing no later than thirty (30) school days after the complaint is filed with the Compliance Officer. If the Compliance Officer has reason to believe that violation of policy has occurred, the Compliance Officer may determine whether or not to hold an administrative hearing and/or to recommend bringing the matter before the Board.

If the person alleged to have violated policy is a teacher or an administrator, the due process provisions of the District's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing.

**REGULATION****REGULATION**

In cases of serious misconduct, dismissal or suspension proceedings in accordance with A.R.S. 15-539 *et seq.* may be initiated.

If the person alleged to have violated policy is a support staff employee, the District may follow due process and impose discipline under Policy GDQD if the evidence so warrants. The District also may recommend a suspension without pay, dismissal, or impose other appropriate discipline.

If the person alleged to have violated policy is a student, the District may impose discipline in accordance with policies JK, JKD and JKE.

**Appeal Procedure**

The Compliance Officer's decision may be appealed in writing, to the Superintendent or the Superintendent's designee, for a period of up to twenty (20) calendar days after the decision is delivered to the parties. If an appeal in writing is not possible, please contact the Superintendent or the Superintendent's designee to file an appeal.

Any timeline mentioned herein can be extended by mutual, written agreement of the parties.

**EXHIBIT** **EXHIBIT**

**NONDISCRIMINATION / EQUAL OPPORTUNITY**

**COMPLAINT FORM**

(To be filed with the compliance officer at the following address:  
Assistant Superintendent of Human Resources, Dysart Unified School District  
No. 89, 15802 N. Parkview Place, Surprise, AZ 85374 as provided in AC-R)

**Please print:**

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Another phone where you can be reached \_\_\_\_\_

During the hours of \_\_\_\_\_

E-mail address \_\_\_\_\_

**I wish to complain against:**

Name of person, school (department), program, or activity \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

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