

**ANTI-DISCRIMINATION  
PLATTSBURGH CITY SCHOOL DISTRICT  
REGULATION**

Section 1: Construction

1.1 Policy Definitions

For the purposes of this policy:

“Days” mean calendar days.

“District” means the Plattsburgh City School District.

“Person” and “Complainant” will include an employee as well as a student of the District.

“Employee” means all teaching, administrative and support personnel employed by the District.

“Student” means a person who is registered in the District and is taking academic classes.

“Applicant” means any person who applies to the District for employment or enrolls in an educational program or activity.

“Title IX Compliance Officer” means the person designated by the District to ensure compliance with Title IX of the Education Amendment, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 or other applicable federal and state laws and regulations.

1.2 Publication of Policy

The District shall promulgate this policy as follows:

A copy of the policy statement shall be given to each new employee at the time of hire.

A copy of the policy statement shall be published as part of the District’s student handbook and the Faculty Handbook.

A copy of the policy statement shall be published annually in the official newsletter or newspaper of the District.

All distributions or publications of this policy shall contain the name, business address and telephone number of the current designated Title IX Compliance Officer of the District.

1.3 Policy Information

Each employment application of the District will contain the following language:

The District does not discriminate in employment or in the educational programs and activities which it operates on the basis of sex, color, race, ancestry, religion, national origin, age, physical or mental handicap, medical condition, disability, marital status, veteran status, citizenship status, sexual orientation, gender expression, predisposing genetic characteristic or other characteristic protected by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, Section 504 of the Rehabilitation Act of 1973, or other applicable federal and state laws and regulations.

1.4 Policy Information

Copies of the legislative acts upon which the Anti-Discrimination Policy is based are available upon request directed to the Title IX Compliance Officer.

A copy of the District's Anti-Discrimination Policy Regulations will be provided to any employee or student upon request directed to the Title IX Compliance Officer.

1.5 Other Discrimination Information

Further information concerning nondiscrimination may be made to:

Regional Director  
United States Department of Education - Office for Civil Rights  
16 Federal Plaza  
New York, New York 10278

New York State Department of Human Rights  
Alfred E. Smith State Office Building  
25th Floor, P.O. Box 7063  
Albany, New York 12225-0063

Equal Employment Opportunity Commission  
New York District Office  
90 Church Street  
Room 1505  
New York, New York 10007

New York State Commissioner of Education  
New York State Education Department  
Washington Avenue  
Albany, New York 12234

Section 2: Discrimination Complaint Procedure

2.1 Definition of Discrimination Complaint

If any person believes that the District or any of the District's staff has inadequately applied the principles or regulations of (1) Title VI of the Civil Rights Act of 1964, (2) Title IX of the Education Amendments of 1972, (3) Section 504 of the Rehabilitation Act of 1973 or (4) other applicable federal and state laws and regulations, then that person may file a Discrimination Complaint with the Title IX Compliance Officer.

2.2 Filing a Discrimination Complaint

Discrimination Complaints will be accepted in writing or orally, and anonymous complaints will be taken seriously and investigated. However, it is preferred that a written Discrimination Complaint signed by the complainant be submitted to the Title IX Compliance Officer.

This complaint procedure is designed and will be administered to avoid a situation where an employee or student is faced with complaining to the person, or close associate of the person, who is the subject of his/her complaint.

2.3 Right to Alternative Complaint Procedures

These procedures do not deny the right of any person to pursue other avenues of recourse available to him/her which may include filing an administrative charge, initiating a civil action, seeking redress under any federal and state laws and regulations.

2.4 Title IX Compliance Officer Notification

The Title IX Compliance Officer shall notify the School Superintendent upon receipt of a Discrimination Complaint.

The School Superintendent shall notify the Board of Education as to the District's receipt of any Discrimination Complaint.

## 2.5 Discrimination Complaint Investigation

The Title IX Compliance Officer shall create a complaint file, which shall contain a written description of the complaint, the investigation documentation, the complaint's resolution and any follow-up documentation.

The Title IX Compliance Officer may appoint an Investigative Officer to assist him/her in investigating a discrimination complaint. An Investigation Officer may be a third party designated by the District.

The employee, student, or applicant shall be entitled to representation of his or her choice, and at his or her own expense, at all complaint meeting(s). The complainant shall notify the Title IX Compliance Officer in writing of the name and title of any representative at least two (2) days prior to the meeting or as agreed by the parties.

Only those persons who have an immediate need to know or who are involved in the investigation will or may find out the identity of the complainant(s) in the course of the investigation. All parties contacted in the course of an investigation shall be advised that all the parties involved in a complaint are entitled to respect. This complaint process will be administered consistent with federal and state labor laws when bargaining unit members are affected.

All complaints shall be investigated promptly by the Title IX Compliance Officer or an Investigative Officer. Investigations shall be initiated within seven (7) calendar days of receipt of the complaint.

## 2.6 Investigation Report

The Title IX Compliance Officer shall produce a written Investigation Report for the School Superintendent upon the conclusion of the investigation, which shall summarize the investigation findings. The Title IX Compliance Officer may make recommendations as to appropriate remedial measures based on the information gathered in the investigation of the complaint. The Title IX Compliance Officer shall forward the Investigation Report to the School Superintendent for action. In the event the School Superintendent is implicated in a complaint, the Investigation Report will be forwarded to the Board of Education for action.

### Section 3: Discrimination Complaint Resolution

#### 3.1 Complaint Resolution and Notification of Parties

The School Superintendent (or the Board of Education if applicable), shall consider and act upon the Investigative Report and any recommendations contained therein within seven (7) calendar days of its receipt and shall notify the complaint parties in writing as to the complaint's resolution.

Any District action taken pursuant to this policy will be consistent with requirements of applicable collective bargaining agreements, federal and state statutes and District policies. The District will take such corrective action it deems necessary and appropriate to end discrimination and/or retaliation and prevent its recurrence.

#### 3.2 Complaint Investigation Questions

All questions regarding a complaint investigation should be directed to the School Superintendent or the Title IX Compliance Officer. The School Superintendent or the Title IX Compliance Officer shall meet with the complaint party to explain how the investigation was conducted upon a request received within five (5) calendar days from his/her receipt of the complaint's written resolution.

#### 3.3 Complaint Resolution Questions

All questions regarding a complaint resolution shall be directed to the School Superintendent. The Superintendent will address questions regarding a complaint resolution to explain how the result was reached upon request within ten (10) calendar days of the distribution of the complaint's written resolution.

#### 3.4 Complaint Resolution Appeal

If the complaint has not been resolved, a complaint party may appeal the resolution to the Board of Education. A complaint party may appeal the complaint resolution by forwarding a signed Statement of Appeal to the Board of Education within ten (10) calendar days of his/her receipt of the written complaint resolution.

3.5 Appeal Meeting with Board of Education

In an attempt to resolve the appeal, the Board of Education shall meet with the complaint party appealing and any representative within thirty (30) calendar days of receipt of such Statement of Appeal.

3.6 Appeal Disposition and Notification of Complaint Parties

The Board's written disposition of the appeal will be sent to the complaint party appealing and a copy to any representative within fifteen (15) calendar days of the meeting with the Board. Notification of any remaining complaint parties will be made as necessary based on the Board's action and in their discretion.

3.7 Board Action Appeal

The decision of the Board of Education may be appealed by the complaint party contacting:

Regional Director  
United States of Education-Office of Civil Rights  
26 Federal Plaza  
New York, New York 10278

3.8 Investigative File Access

Investigative files will be available to federal, state and local agencies charged with equal employment or affirmative action enforcement and as required by law. The name(s) of the complainant(s) shall be kept under separate file.

3.9 Non-Retaliation Policy

An effective Anti-Discrimination Policy requires support and leadership by the example by all District personnel in positions of authority. District administrators, supervisors, teachers, employees or students who engage in discriminatory conduct or retaliation or who disrupt school-sponsored investigations of discrimination may be severely sanctioned as appropriate, including suspension or termination. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

In addition, District Officials who refuse to implement remedial measures, obstruct remedial efforts of other District employees or students, and/or retaliate against discrimination complainants, witnesses or participants in an investigation or related proceeding may be immediately sanctioned as appropriate, including sanctions of suspension or termination.

Section 4: Procedures And Rules For Education And Training

4.1 Education and Training

Education and training of District employees at each level of the work force is critical to the success of Plattsburgh City School District's Anti-Discrimination Policy.

4.2 Education and Training Components

Education and training include the following components:

1. For all District Employees:

As part of general orientation, each employee will be given a copy of the Board of Education's Anti-Discrimination Policy and Regulations and be requested to read them and sign an acknowledgement so that they are on notice of the standards of behavior expected. In addition, the Title IX Compliance Officer will explain orally at least one (1) time per year at departmental staff meetings, or other such appropriate times, the District's serious commitment to eliminating and preventing discrimination in the District, the possible penalties for engaging in discriminatory conduct, and the procedures for reporting incidents of possible discrimination.

2. For all other employees with supervisory authority over other employees, including, but not limited to, supervisors, managers, lead workers, administrators and superintendents:

Each employee will participate in a training session at least one (1) time per year on discrimination. At least one-third of each session will be devoted to education about workplace and academic issues of discrimination, including training (with

demonstrative evidence) as to exactly what types of remarks, behavior and pictures will not be tolerated in the school workplace. The School Superintendent shall attend the training sessions to introduce the seminar with remarks stressing the need to eliminate and prevent discrimination. Each participant will be informed that he/she is responsible for knowing the contents of District's Anti-Discrimination Policy and Regulations.

3. For Title IX Compliance Officer(s) and Investigative Officer(s):

Each Officer will attend a training seminar at least one (1) time per year conducted by experienced discrimination educators and/or investigators to teach them about the problems of discrimination in the workplace and academic environments and techniques for identifying, investigating and addressing discrimination.

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