

ANTI-DISCRIMINATION POLICY

BOCES does not discriminate in employment or in the education programs and activities or in access of students to vocational instruction opportunities which it operates on the basis of race, color, national origin, religion, marital status, military status, sex, age, weight, sexual orientation, gender identity, ethnic group, religious practice, disability, predisposing genetic characteristic, or domestic violence victim status in violation of Title VI and VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Title IV; 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; Title II of the ADA [known as the Americans with Disabilities Act] 1990; New York State Human Rights Law; The Boy Scouts of America Equal Access Act of 2001; The Genetic Information Non-Discrimination Act of 2008 (GINA).

Grievance Procedure

For all claims of sexual harassment, use the complaint procedure under Title IX Sexual Harassment Policy #9013, regarding Title IX complaints, unless Title IX is found not to apply. In such cases, use the following procedure.

Section 1

If any person believes that BOCES or any of BOCES' staff has failed to apply or has inadequately applied the principles or regulations of any of the aforementioned Civil Rights laws that person may bring forward a complaint, which shall be referred to as a grievance, to BOCES' Civil Rights compliance officers.

Section 2

Step (a):

The complainant may discuss the grievance informally with the compliance officer, or may file a written complaint with the compliance officer. The compliance officer or designee will then investigate the substance of the complaint in a prompt and equitable, thorough and impartial manner. The compliance officer will reply to each complainant in writing within seven days of the initiation of the complaint, though the full investigation may take longer. Each complainant and respondent will be provided with a written copy of the findings within 60 days of the filing of the complaint, unless exceptional circumstances require additional time.

Step (b):

If any complainant or respondent (party) wishes to appeal the decision of the compliance officer, the party may submit a signed statement of appeal to the District Superintendent within

seven days after receipt of the compliance officer's findings. The District Superintendent shall meet with the party and any representative and make such other inquiries which the District Superintendent deems appropriate. Thereafter, the District Superintendent shall set forth a conclusion and respond in writing to all parties within 14 days, unless exceptional circumstances require additional time.

Step (c):

If a party is not satisfied with the conclusion of the District Superintendent, the party may appeal through a signed, written statement to the BOCES' Board within seven days of receipt of the District Superintendent's response in Step (b). In an attempt to resolve the grievance, the BOCES' Board shall meet with the party and any representative within 30 days of receipt of such an appeal. The BOCES' Board's written disposition of the appeal shall be sent to all parties within ten days of this decision, unless exceptional circumstances require additional time.

Step (d):

If the grievance has not been satisfactorily settled at Step (c), further appeal may be made to:

Office for Civil Rights,
U. S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500
Telephone: (646) 428-3800
Facsimile: (646) 428-3843
Email: OCR.NewYork@ed.gov

Section 3

The compliance officer, on request, will provide a copy of the BOCES' grievance procedure to any employee or student of BOCES. It is also on the BOCES website.

A copy of each of the acts and regulations upon which this notice is based will be made available upon written request directed to the BOCES' compliance officer.

When used in this policy *days* shall mean BOCES business days. The words *person* and *complainant* shall include an employee as well as a student of BOCES.

Inquiries concerning the anti-discriminatory policy may be made to:

Director, Office for Civil Rights,
U. S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500

Publication

BOCES shall promulgate this policy, which includes sexual harassment, as follows:

- A copy of this policy and the sexual harassment policy shall be provided at the beginning of employment to each employee in their employment packet, and provided annually to each employee.
- These policies shall be published as part of the BOCES' student handbook.
- Any changes to the policies shall be published in the official newspaper of BOCES.
- These policies shall be provided annually to the president of each bargaining unit.
- These policies shall be posted prominently and easily found on the BOCES' website.

Annual publications shall contain the name, business address and telephone number of the BOCES' compliance officer.

Employment Application

Each employment application of BOCES shall contain the following language:

BOCES does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, marital status, military status, sex, age, weight, sexual orientation, gender identity, ethnic group, religious practice, disability, predisposing genetic characteristic, or domestic violence victim status in violation of Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, 42 U.S.C. 12111 etseq., known as the Americans With Disabilities Act, § 504 of the Rehabilitation Act of 1973, Age Discrimination Act of 1975, Title II of the ADA 1990, New York State Human Rights Law, The Boy Scouts of America Equal Access Act of 2001, The Genetic Information Non-Discrimination Act of 2008 (GINA), or in access of students to vocational instruction opportunities.

The following person(s) have been designated to handle inquiries regarding non-discrimination inquiries:

Matthew Walentuk – Civil Rights Compliance Officer – walentuk_matt@cves.org
Susanne Ford-Croghan – Civil Rights Compliance Officer – croghan_Susanne@cves.org
1585 Military Turnpike
P.O. Box 455, Plattsburgh, NY 12901
Phone: 518-561-0100

Matthew Slattery
Section 504 Compliance Officer – slattery_matt@cves.org
1585 Military Turnpike
P.O. Box 455, Plattsburgh, NY 12901
Phone: 518-561-0100

