

The board encourages all complaints regarding the service center to be resolved at the lowest possible supervisory level. Whenever a complaint is made directly to the board as a whole or to a board member as an individual, it will be referred to the executive director or the chief financial officer for study and possible resolution.

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the service center's programs and activities is prohibited. Harassment of an individual on any of these grounds is also prohibited. Compliance Coordinator, South Central Kansas Education Service Center #628, 13939 Diagonal Road, P.O. Box 160, Clearwater, KS 67026, [compliancecoordinator@orioneducation.org](mailto:compliancecoordinator@orioneducation.org), (620) 584-3300 has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, the Personal Responsibility Work Opportunity Reconciliation Act of 1996, and the Food Stamp Act of 1977, as amended. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the compliance coordinator.

#### Complaints About Discrimination or Discriminatory Harassment

Complaints of discrimination or discriminatory harassment by an employee, excluding complaints regarding discrimination or harassment on the basis of sex, should be addressed to the employee's supervisor, the program coordinator or the service center compliance coordinator. Such complaints by a student should be addressed to the program coordinator, another administrator, the guidance counselor, or another certified staff member. Any service center employee who receives a complaint of such discrimination or harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the program

coordinator. If the program coordinator is the alleged harasser, the complaint shall be reported to the service center compliance coordinator. Complaints by any other person alleging such discrimination should be addressed to the program coordinator or the service center compliance coordinator. Except as otherwise provided in this policy regarding complaints of discrimination on the basis of sex, complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

#### Informal Procedures

The program coordinator shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. Any service center employee who receives a complaint of such discrimination or harassment from a student, another employee, or any other individual shall inform the individual of the employee's obligation to report the complaint and any proposed resolution of the complaint to the program coordinator. The program coordinator shall discuss the complaint with the individual to determine if it can be resolved. If the matter is resolved to the satisfaction of the individual, the program coordinator shall document the nature of the complaint and the proposed resolution of the complaint, and forward this record to the service center compliance coordinator. Within 20 days after the complaint is resolved in this manner, the compliance coordinator or designated representative, shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved to the satisfaction of the individual in the meeting with the compliance coordinator or designated representative, or if the individual does not believe the resolution remains acceptable, the individual may initiate a formal complaint.

If such discrimination or harassment has occurred, the service center will take prompt, remedial action to prevent its reoccurrence. The service center prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint

process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

#### Formal Complaint Procedures

- A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. If an individual does not wish to file a written complaint and the matter has not been adequately resolved, the program coordinator may initiate the complaint. Forms for filing written complaints are available in each service center building office and central office.
- A complaint should be filed as soon as possible after the conduct occurs but not later than 180 days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.
- If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the executive director, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by the program director, the compliance coordinator or another individual appointed by the board. The investigation shall be informal but thorough. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.
- A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant and the accuser no later than 30 days after the filing of the complaint.
  - If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.
  - If the investigation results in a recommendation that an employee be suspended without pay or terminated, procedures outlined in board policy and state law will be followed.
- Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the service center compliance coordinator.
- The complainant may appeal the determination of the complaint. Appeals shall be heard by the service center compliance coordinator, a hearing officer appointed by the board, or by the board itself as determined by the board. The request to appeal the resolution shall be made within 20 days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator

and the investigator's report and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in writing, within 10 days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 30 days after the appeal is filed.

- If discrimination or harassment has occurred, the service center will take prompt, remedial action to prevent its recurrence. The service center prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.
- Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

#### Complaints About Discrimination on the Basis of Sex

Complaints regarding alleged discrimination on the basis of sex, as prohibited by Title IX of the Education Amendments of 1972 and other federal and state laws regulating such discrimination and discriminatory harassment, shall be handled in accordance with the procedures outlined in board policy GAAC and shall be directed to the Title IX Coordinator at (Title IX Coordinator, South Central Kansas Education Service Center #628, 13939 Diagonal Road, P.O. Box 160, Clearwater, KS 67026, [titleixcoordinator@orioneducation.org](mailto:titleixcoordinator@orioneducation.org), (620) 584-3300)

#### Complaints About Policy

The executive director shall report any unresolved complaint about policies to the board at the next regularly scheduled board meeting.

**Complaints About Curriculum (See IF)**

The executive director shall report a failure to resolve any complaint about curriculum to the board at the next regularly scheduled board meeting.

**Complaints About Instructional Materials**

The program coordinator shall report any unresolved complaint about instructional materials to the executive director immediately after receiving the complaint.

**Complaint About Facilities and Services**

The executive director shall report any unresolved complaint about facilities and services to the board at the next regularly scheduled board meeting.

**Complaints About Personnel**

The executive director or the program coordinator involved shall report any unresolved complaint about personnel to the board at the next regularly scheduled board meeting.

**Complaints About Emergency Safety Intervention Use**

Complaints concerning the use of emergency safety interventions by service center staff shall be addressed in accordance with the local dispute resolution process outlined in board policy GAAF.

Approved: SCKESC Board of Directors 09/2013, 10/2014, 2/2016, 5/2016, 8/2020