

Cooperative Boards

Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify NDSEC if he or she believes that the Operational Board or Governing Board, its employees, or agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy, or have a complaint regarding:

1. Title II of the Americans with Disabilities Act;
2. Title IX of the Education Amendments of 1972;
3. Section 504 of the Rehabilitation Act of 1973;
4. Individuals With Disabilities Education Act, 20 U.S.C. § 1400 et seq.
5. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.;
6. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.;
7. Sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972);
8. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children;
9. Curriculum, instructional materials, and/or programs;
10. Victims' Economic Security and Safety Act, 820 ILCS 180;
11. Illinois Equal Pay Act of 2003, 820 ILCS 112;
12. Provision of services to homeless students; or
13. Illinois Whistleblower Act, 740 ILCS 174/1 et seq.

The Complaint Manager will attempt to resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. All deadlines may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, "school business days" means days on which the Cooperative's main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail himself or herself of this grievance procedure may do so by filing a complaint with any NDSEC Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed.

Investigation

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. If the complainant is a student, the Complaint Manager will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except (1) as required by law, this policy, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law or any collective bargaining agreement, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

Within 30 school business days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Executive Director. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the Executive Director, the written report shall be filed with the Operational Board, which shall render a decision in accordance with Section 3 of this policy. The Executive Director will keep the Board informed of all complaints.

Decision and Appeal

Within 5 school business days after receipt of the Complaint Manager's report, the Executive Director shall render a written decision which shall be provided to the Complainant as well as the Complaint Manager.

Within 10 school business days after receiving the Executive Director's decision, the Complainant may appeal it to the Operational Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Operational Board. Within 30 school business days, the Operational Board shall affirm, reverse, or amend the Executive Director's decision or direct the Executive Director to gather additional information. Within 5 school business days of the Operational Board's decision, the Executive Director shall inform the Complainant of the Operational Board's action. This grievance procedure shall not be construed to create an independent right to an Operational Board hearing.

Within 10 school business days after receiving the Operational Board's decision, the Complainant may appeal it to the Governing Board. The Complainant may request a closed meeting of the Governing Board for the purpose of review of the Operational Board's decision by making a written request to the Complaint Manager.

Appointing Complaint Managers

The Executive Director shall appoint at least two Complaint Managers, one of each gender. The Executive Director shall insert into this policy the names, addresses, and telephone numbers of current Complaint Managers.

Complaint Managers:

Name:	Dr. Rita Stevenson	Mr. Victor Morris
Address:	255 E. Lake Street, Bloomingdale, IL 60108	255 E. Lake Street, Bloomingdale, IL 60108
Phone:	630-894-0490 ext. 1305	630-894-0490 ext. 1308

LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.
Americans With Disabilities Act, 42 U.S.C. §12101 et seq.
Equal Pay Act, 29 U.S.C. §206(d).
Immigration Reform and Control Act, 8 U.S.C. §1324a et seq.
Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.
McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.
Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.
Title IX of the Education Amendments, 20 U.S.C. §1681 et seq.
105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-22.5, 5/22-19, 5/24-4, 5/27.1, and 45/1-15.
Illinois Whistleblower Act, 740 ILCS 174/1 et seq.
775 ILCS 5/1-101.
Victims' Economic Security and Safety Act, 820 ILCS 180, 56 Ill.Admin.Code Part 280.
Equal Pay Act of 2003, 820 ILCS 112.
23 Ill.Admin.Code §§1.240 and 200-40.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Sexual Harassment), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Preventing Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities), 8:110 (Public Suggestions and Complaints)

Adopted: 3/13/2000

Revised: 11/15/2004

Revised: 5/11/2009