

## AFFIRMATIVE ACTION GRIEVANCE PROCEDURE

**STAFF MEMBER:** A Complainant who believes he/she has been harmed or adversely affected by a failure to enforce the school district's Affirmative Action Plan for employment and contract practices shall discuss the matter with his/her immediate supervisor or in an attempt to resolve the matter informally.



10 DAYS	If the matter is not resolved to the satisfaction of the Complainant within ten (10) business days, the Complainant may submit a written complaint to the Affirmative Action officer.
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7 DAYS	The Affirmative Action Officer will investigate the matter informally and will <u>respond to the complaint in writing no later than seven business days after receipt of the written complaint.</u>
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3 DAYS	The response of the Affirmative Action Officer may be <u>appealed to the Superintendent in writing within three (3) business days after it has been received by the Complainant.</u>
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7 DAYS	Upon request, the Complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven business days after the request for a hearing has been submitted.
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7 DAYS	The Superintendent will render a written decision in the matter no later than seven business days after the appeal was filed or the hearing was held.
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The Complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three business days after receipt of the Superintendent's decision. The appeal will include:

- The original complaint.
  - The response to the complaint.
  - The Superintendent's decision.
  - A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented; and
  - The Complainant's reason for believing the Superintendent's decision should be changed.
- A copy of the appeal to the Board must be given to the staff member, if any, charged with a violation of the Affirmative Action Plan.

↓ The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the Complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.

↓ The Board will render a written decision no later than forty-five calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.

↓ The Complainant has the right to appeal the Board's decision to the:

a) Commissioner of Education  
New Jersey State Department of Education  
P.O. Box 500  
Trenton, New Jersey 08625-0500, or

b) New Jersey Division on Civil Rights  
Central Regional Office  
140 East Front Street – 6<sup>th</sup> Floor  
Trenton, New Jersey 08625-0090

↓ Record

The records of any complaint processed in accordance with this procedure shall be kept in a file maintained by the Affirmative Action Officer.

A copy of the decision rendered at its highest level of appeal will be kept in the Complainant's personnel file.