

REGULATION

PRINCETON REGIONAL SCHOOLS SCHOOL DISTRICT

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M

R 1530 EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE

A. Purpose and Application

1. The purpose of this procedure is to give any district employee or candidate for employment the opportunity to appeal an alleged denial of equal employment opportunity in violation of state and federal laws and Policy No. 1530.
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual employees.

B. Definitions

1. "Board of Education" means the Board of Education of the Princeton Regional Schools School District.
2. "Complaint" means an alleged discriminatory act or practice.
3. "Complainant" means a teaching staff member who alleges a discriminatory act or practice.
4. "Day" means a working or calendar day as identified.
5. "Discriminatory act or practice" means denial of equal employment opportunity in violation of state and federal laws and Policy No. 1530.



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6. "School district" means the Princeton Regional Schools School District.

C. Procedure

1. A complainant who believes that he/she has been harmed or adversely affected by a discriminatory practice or act prohibited by law and/or policy shall discuss the matter with his/her immediate supervisor or with the Affirmative Action Officer in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the Assistant Superintendent for Human Resources. The complaint will include:
 - a. The complainant's name and address,
 - b. The specific act or practice that the complainant complains of,
 - c. The school employee, if any, responsible for the allegedly discriminatory act,
 - d. The results of discussions conducted in accordance with ¶C1, and
 - e. The reasons why those results are not satisfactory.
3. The Assistant Superintendent for Human Resources will investigate the matter informally and will respond to the complaint in writing no later than fifteen working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent. The response shall include notice to the complainant of right to appeal as specified herein.
4. The response of the Assistant Superintendent for Human Resources may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. The Superintendent shall give a copy of the appeal to the staff member alleged to have acted discriminatorily.



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5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), 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 working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with a discriminatory act and any other person with knowledge of the act complained of.
6. The Superintendent will render a written decision in the matter no later than seven working days after the appeal was filed or the hearing was held, whichever occurred later. The Superintendent shall give copies of the decision to all parties. The decision shall also give notice of the right to appeal as provided herein.
7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal shall include:
 - a. The original complaint,
 - b. The response to the complaint,
 - c. The Superintendent's decision,
 - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
 - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. The Superintendent shall give a copy of this appeal to the staff member, if any, charged with a discriminatory act.
9. 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.



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10. 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.
11. The complainant will be informed of his/her right to appeal the Board's decision to the:
 - a. Commissioner of Education
Division of Controversies and Disputes
New Jersey State Department of Education
225 West State Street
Trenton, New Jersey 08625
Telephone: (609) 292-5705 or the
 - b. New Jersey Division on Civil Rights
1100 Raymond Boulevard
Newark, New Jersey 07102
Telephone: (973) 648-2700
12. Nothing in this regulation shall prevent the complainant from taking action, in administrative and judicial forums as provided by State and Federal law.

D. Record

1. The records of any complaint processed in accordance with this procedure shall be maintained in a file kept by the Assistant Superintendent for Human Resources.
2. A copy of the decision rendered at the highest level of appeal will be kept in the employee's personnel file.

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