

AC ©  
**NONDISCRIMINATION / EQUAL OPPORTUNITY**

The Board is committed to a policy of nondiscrimination in relation to race, color, religion, sex, age, national origin, and disability. This policy will prevail in all matters concerning staff members, students, the public, educational programs and services, and individuals with whom the Board does business.

Spanish Statement:

La junta directiva está comprometida con la política de no discriminación con relación a raza, color, religión, sexo, edad, nacionalidad, y discapacidad. Esta política prevalece en todos asuntos con respecto a empleados, estudiantes, el público, programas y servicios educativos, y personas con quien trabaja nuestra junta directiva.

Adopted: date of Manual adoption

LEGAL

REF.:

A.R.S.

[23-341](#)

[41-1463](#)

20 U.S.C. 1400 *et seq.*, Individuals with Disabilities Education Act  
20 U.S.C. 1681, Education Amendments of 1972, Title IX  
20 U.S.C. 1703, Equal Employment Opportunity Act of 1972  
29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)  
42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII  
42 U.S.C. 12101 *et seq.*, Americans with Disabilities Act  
Arizona Constitution, Ordinance Art. XX, Par. Seventh

CROSS

REF.:

[ACA](#)

-

Sexual

Harassment

[GBA](#)

-

Equal

Employment

Opportunity

[GCQF](#)

- Discipline, Suspension, and Dismissal of Professional Staff Members

[GDQD](#)

- Discipline, Suspension, and Dismissal of Support Staff Members

[IHBA](#)

- Special Instructional Programs and Accommodations for Disabled Students

[JB](#)

-

Equal

Educational

Opportunities

[JII](#)

-

Student

Concerns,

Complaints

and

Grievances

[JK](#)

-

Student

Discipline

[JKD](#)

-

Student

Suspension

[KED](#) - Public Concerns/Complaints about Facilities or Services

Title IX and Section 504/Title II Coordinator's Contact Info:

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## AC-R ©

### REGULATION

#### **NONDISCRIMINATION / EQUAL OPPORTUNITY**

##### **Compliance Officer**

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or to have been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

##### **Complaint Procedure**

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Superintendent shall investigate and document complaints filed pursuant to this regulation as soon as reasonable, within the established timelines. In investigating the complaint, the Superintendent will maintain confidentiality to the extent reasonably possible. The Superintendent shall also investigate incidents of policy violation that are raised by the Governing Board, even though no complaint has been made.

If after the initial investigation the Superintendent has reason to believe that a violation of policy has occurred, the Superintendent shall determine whether or not to hold an administrative hearing and/or to recommend bringing the matter before the Board.

If the person alleged to have violated policy is a teacher or an administrator, the due process provisions of the District's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing. In cases of serious misconduct, dismissal or suspension proceedings in accordance with A.R.S. [15-539](#) *et seq.* may be initiated.

If the person alleged to have violated policy is a support staff employee, the Superintendent may follow due process and impose discipline under Policy GDQD if the evidence so warrants. The Superintendent also may recommend a suspension without pay, recommend dismissal, or impose other appropriate discipline.

If the person alleged to have violated policy is a student, the Superintendent may impose discipline in accordance with Policies JK, JKD and JKE.

If the Superintendent's investigation reveals no reasonable cause to believe policy has been violated, the Superintendent shall so inform the complaining party in writing.

## **Timelines**

The complaint must be filed within thirty (30) calendar days after the complaining party knew or should have known that there were grounds for a complaint/grievance.

Once the written complaint has been filed using the forms provided by the District, the Superintendent shall require the immediate supervisor or site administrator to investigate and respond in writing to the complaining party within five (5) working days.

If the immediate supervisor or site administrator does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complaining party.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.