

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, guaranteeing “equal access to all categories of employment without regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, socioeconomic status, or disability” or any other status or characteristic identified by applicable state or federal law.
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 Ridgewood School District.
2. “Complaint” means an alleged discriminatory act or practice.
3. “Complainant” means a 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 statutes and administrative codes and Federal laws and Policy No. 1530.
6. “School district” means the Ridgewood 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 may discuss the matter with the individual(s) responsible for the alleged discriminatory practice or prohibited act in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty (30) working days, or if the complainant chooses not to discuss the matter directly with the individual(s) responsible for the alleged discriminatory practice or prohibited act, the complainant may submit a written complaint to his/her immediate supervisor. 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 paragraph C1, and
 - e. The reasons why those results are not satisfactory.

The immediate supervisor will forward a copy of the written complaint to the Affirmative Action Officer within three (3) working days of its receipt.

If the complainant is not a district employee, or if the person responsible for the alleged failure to enforce the district's Affirmative Action Program is the complainant's immediate supervisor, complainant may submit a written complaint to the Affirmative Action Officer.

3. The complainant's immediate supervisor will investigate the matter informally and will respond to the complaint in writing no later than seven (7) working days after receipt of the written complaint unless the circumstances of the complaint or investigation warrant additional reasonable time. Copies of the complaint and response will be provided to the complainant and to the accused individual(s). The Affirmative Action Officer will provide guidance and support to the immediate supervisor as needed. A copy of the complaint and the response will be forwarded to the Superintendent. A copy of the response will also be sent to the Affirmative Action Officer.



4. The response of the complainant's immediate supervisor may be appealed to the Superintendent by either party in writing within three (3) working days after it has been received by the parties. The appeal will include the original complaint, the response to the complaint, and the appealing party's reason for rejecting the response. A copy of the appeal must be given to the other party involved in the original complaint.
5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the appealing party will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven (7) working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the other staff member involved in the complaint and any other person with knowledge of the act complained of. The Superintendent will review all papers submitted and may render a decision on the basis of the proceedings below. S/he may also request that additional investigation be conducted. The Affirmative Action Officer may act as the Superintendent's designee.
6. The Superintendent will render a written decision in the matter no later than seven (7) working days after the appeal was filed or the hearing was held, whichever occurred later, unless the circumstances of the complaint or investigation warrant additional reasonable time. Copies of the decision will be given to all parties and to the Board of Education.
7. Either party may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three (3) 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 appealing party's reason for believing the Superintendent's decision should be changed.



REGULATION

RIDGEWOOD BOARD OF EDUCATION

ADMINISTRATION

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8. A copy of the appeal to the Board must be given to the other staff member involved in the complaint.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. It may also request that additional investigation be conducted. If the appealing party 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.
10. The Board will render a written decision no later than forty-five (45) 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
New Jersey State Department of Education
P.O. Box 500
Trenton, New Jersey 08625
Telephone: (877) 900-6960 or the
 - b. New Jersey Division on Civil Rights
Trenton Regional Office
Office of the Attorney General
140 East Front Street – 6th Floor
Telephone: (609) 292-4605

D. Record

1. The records of any complaint processed in accordance with this procedure shall be maintained in a file kept by the Affirmative Action Officer.
2. A copy of the decision rendered at the highest level of appeal will be kept in the personnel files of the complainant and any staff members accused.

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