

| NEPN/NSBA Code: ACAA-R

| M.S.A.D. #12

| STUDENT DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE

| This procedure has been adopted by the Board in order to provide a method of  
| prompt and equitable resolution of student complaints of discrimination or  
| discriminatory harassment as described in policies AC--Non-discrimination/Equal  
| Opportunity and Affirmative Action and ACAA--Harassment and Sexual Harassment of  
| Students.

| Definitions

| For purposes of this procedure:

- | A. A "complaint" is defined as an allegation that a student has been  
| discriminated against or harassed on the basis of race, color, sex, religion,  
| ancestry, national origin, or disability.
- | B. "Discrimination or harassment" means discrimination or harassment on the basis  
| of race, color, sex, religion, ancestry, national origin, or disability.

| How to Make a Complaint

- | A. Any student who believes he/she has been discriminated against or harassed  
| should report their concern promptly to the Principal. Students who are unsure  
| whether discrimination or harassment has occurred are encouraged to discuss the  
| situation with the Principal.
- | B. School staff are expected to report possible incidents of discrimination or  
| harassment of students. Parents and other adults are also encouraged to report  
| any concerns about possible discrimination or harassment of students.
- | C. Students and others will not be retaliated against for making a complaint. Any  
| retaliation by students or school staff will result in disciplinary measures, up  
| to and including expulsion or dismissal.
- | D. Students are encouraged to utilize the school unit's complaint procedure.  
| However, students are hereby notified that they also have the right to report  
| complaints to the Maine Human Rights Commission, 51 State House Station, Augusta,  
| ME 04333 (telephone: 207-624-6050) and/or to the federal office for Civil Rights,  
| Regional Director, U.S. Department of Education, SW McCormack POCH Room 222,  
| Boston, MA 02109-4557 (telephone: 617-223-9622).

| Complaint Handling and Investigation

- | A. The Principal shall promptly inform the Superintendent and the person(s) who  
| is the subject of the complaint that a complaint has been received.
- | B. The Principal may pursue an informal resolution of the complaint with the  
| agreement of the parties involved. The informal resolution is subject to the  
| approval of the Superintendent, who shall consider whether the informal  
| resolution is in the best interest of the school unit in light of the particular  
| circumstances and applicable policies and laws.
- | C. The complaint will be investigated by the Principal, unless the Superintendent  
| chooses to investigate the complaint or designates another person to investigate  
| it on his/her behalf. Any complaint about an employee who holds a supervisory  
| position shall be investigated by a person who is not subject to that  
| supervisor's authority. Any complaint about the Superintendent should be  
| submitted to the Chair of the School Board, who should consult with legal counsel  
| regarding the handling and investigation of the complaint.

- | 1. The person who is the subject of the complaint will be provided with an  
| opportunity to be heard as part of the investigation.
- | 2. If the complaint is against an employee of the school unit, any applicable  
| individual or collective bargaining contract provisions shall be followed.
- | 3. Privacy rights of all parties to the complaint shall be maintained in  
| accordance with applicable state and federal laws.
- | 4. The Principal shall keep a written record of the investigation process.
- | 5. The Principal may take interim remedial measures to reduce the risk of further  
| discrimination or harassment while the investigation is pending.

| 6. The Principal shall consult with the Superintendent concerning the  
| investigation, conclusions, and any remedial and/or disciplinary actions.  
| 7. The investigation shall be completed within 21 business days of receiving the  
| complaint, if practicable.

| D. If the Principal determines that discrimination or harassment occurred, he/she  
| shall, in consultation with the Superintendent:

- | 1. Determine what remedial action is required, if any;
- | 2. Determine what disciplinary action should be taken against the person(s) who  
| engaged in discrimination or harassment, if any; and
- | 3. Inform the student who made the complaint in writing of the results of the  
| investigation and its resolution (in accordance with applicable state and federal  
| privacy laws).

| E. If the student's parents/legal guardians are dissatisfied with the resolution,  
| an appeal may be made in writing to the Superintendent within 14 business days  
| after receiving the notice of the resolution. The Superintendent shall review the  
| investigation report and may conduct further investigation if deemed appropriate.  
| The Superintendent's decision shall be final.

| Legal Reference: Americans with Disabilities Act (28 CFR § 35.07)

| Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7)

| Title IX of the Education Amendments of 1972 (20 SC § 1681, et seq.)

| Title VI of the Civil Rights Act of 1964 (PL 88-352)

| 20 USC § 1232 g; 34 CFR Part 99

| 5 MRSA §§ 4571; 4602; 4681 et seq.

| 20-A MRSA §§ 6001 et seq.

| Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action

| ACAA - Harassment and Sexual Harassment of Students

| Adopted: August 13, 2002