



Mayor Mike Spano

CITY OF YONKERS

Carlos Moran
Acting Commissioner of Human Resources

DEPARTMENT OF HUMAN RESOURCES
One Larkin Center
Tel. Second Floor
Yonkers, NY 10701

**GRIEVANCE PROCEDURES FOR RESOLUTION OF
COMPLAINTS ALLEGING DISCRIMINATION BASED
UPON
RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX (Including
Sexual Harassment), SEXUAL ORIENTATION OR DISABILITY**

In accordance with federal and state laws and as required by Title VI, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973 the Yonkers School District does not discriminate on the basis of race, color, religion, national origin, sex (including sexual harassment), sexual orientation, or disability in the hiring of employees and in the educational programs, services or activities which it provides.

Inquiries regarding compliance with Title VI and Title IX regulations may be directed to: Department of Human Resources, One Larkin Center, 2nd Floor, Yonkers, New York 10701, (914) 377-6185.

Inquiries regarding compliance with Section 504 Regulations may be directed to: Pupil Support Services and Special Education, One Larkin Center, Yonkers, New York 10701, (914) 376-8209.

LEVEL ONE PROCEDURES

1. Any student, employee, parent, applicant in the School District who wishes to file a grievance (complaint) regarding alleged discrimination based upon race, color, religion, national origin, sex (including sexual harassment), sexual orientation, or disability shall make such a complaint in writing on forms available in one of the following school offices: the principal's office, guidance office, nurse's office of all elementary, middle and senior high schools and the District's Personnel Office.
2. (Completed) Form can be given to the Principal/Designee if desired for initial inquiry or can be forwarded directly to the District Compliance Officer.
3. The Compliance Officer or his/ her designee will then:
 - a) Investigate, within 15 days the circumstances of the complaint unless further time is required for good cause, e.g. to speak to witnesses to complete investigation.
 - b) Render a decision within 15 days after receipt of the complaint unless further time is required for good cause, e.g. to speak to witnesses to complete investigation, and notify the Complainant.
 - c) Provide the Complainant 15 days to react to the decision before it becomes final.

4. The Complainant then has the option to
 - a) Accept the decision or
 - b) Disagree with the decision in writing, address to the Compliance Officer.

The failure of the Complainant to make a response will be considered his/her acceptance of the decision. In the event that the District's Level One Officer (i.e. the Compliance Officer or his/her designee) is involved in the alleged discrimination, the Complainant can bypass the Level One Procedure and proceed directly to Level Two Procedure.

LEVEL TWO PROCEDURES

After the completion of Level One Procedures, the Complainant may institute the Level Two Procedure by making a written request to the Compliance Officer.

1. The Compliance Officer requests the Superintendent of Schools to review the complaint.
2. The Superintendent will schedule a meeting within 15 days of the receipt of a request for review unless further time is required for good cause e.g. conflicting schedules.
3. The participants shall be the Complainant (the complainant may be accompanied by his/her parent(s), guardian, spouse, or friend); the Compliance Officer may present information or otherwise actively participate in the meeting.
4. The Superintendent will make a decision within 15 days which shall be final. The Complainant and the Compliance Officer will receive copies of the decision.

ALTERNATE GRIEVANCE PROCEDURES

1. The Complainant may appeal the decision rendered by filing an appeal with:

The New York State Commissioner of
Education New York State Education
Department Washington Avenue
Albany, New York 12234
2. The Complainant may also file with either or both of the agencies listed below. The complaint may be filed simultaneously through this agency's channels and the channels listed below:
 - a) Office for Civil Rights – Enforcement Office
U.S. Department of Education
32 Old Slip, 26th Floor
New York, New York 10005-2500
Telephone: 646-428-3900
Fax 646-428-8943
TDD: 877-521-2172

Email: OCR.NewYork@ed.gov

- b) New York State Division of Human
Rights 20 Exchange Place, 2nd floor
New York, NY 10005
Telephone 212-480-2522
888-392-3644

Definitions:

1. Grievance: An issue of dispute regarding discrimination based on sex or handicap. The issue involves the violation, interpretation or application of any article of Title VI, Part 86, Rules and Regulations, Title IX, Federal Education Amendments of 1972 and/or Section 504 of the Rehabilitation Act of 1973. To initiate the grievance procedure, a written complaint must be filed with the appropriate Compliance Officer.
2. Student: Any person enrolled as a student in any school and/or educational or recreational program authorized by the School District.
3. Employee: Any full-time or part-time teacher, secretary, clerk, custodian, administrator, or other person receiving compensation for services rendered to the School District.
4. Parent: Any parent/guardian of a Yonkers Public School student.
5. Applicant: Any person applying for employment with the Yonkers Public Schools.
6. Compliance Officer: the person designated by the School District Board of Education to coordinate efforts to comply with Title VI and Title IX of the Educational Act of 1972 and Section 504 of the Rehabilitation Act of 1973.
7. Superintendent: The Superintendent of Schools or his/her designated representative.

TITLE VI & TITLE IX COMPLIANCE OFFICER

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504 REGULATIONS COMPLIANCE OFFICER

Pupil Support Services and Special
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