

SUBJECT: COMPLAINTS AND GRIEVANCES BY EMPLOYEES

In accordance with the provisions of New York State General Municipal Law and the collective bargaining agreements, all BOCES personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. BOCES shall provide at least two procedural stages and an appellate stage for the settlement of any grievance.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The District Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

Civil Rights Officer

Additionally, the Board shall ensure compliance with Titles VI and VII of the Civil Rights Act of 1964, New York State Executive Law Section 290 et seq., Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act (ADA), New York State Military Law Sections 242 and 243, Uniformed Services Employment and Reemployment Rights Act of 1994, and Section 107 of New York State Civil Service Law. The District Superintendent shall designate a BOCES employee as the Title IX/Section 504/ADA Coordinator (i.e., the "Civil Rights Officer"), and regulations and procedures shall be implemented to resolve complaints of discrimination based on actual or perceived race, color, national origin, disability, age, religion, sex, sexual orientation, marital status, political affiliation, military or veteran status.

Periodically, and no less frequently than once every school year, the BOCES shall issue an appropriate public announcement which advises students, parents/guardians, employees and the general public of BOCES' established grievance procedures for resolving complaints of discrimination based on actual or perceived race, color, national origin, disability, age, religion, sex, sexual orientation, marital status, political affiliation, military or veteran status. Included in such announcement will be the name, address and telephone number of the Civil Rights Officer.

Title VII of the Civil Rights Act of 1964,
42 United States Code (U.S.C.)
Section 2002-e et seq.
Prohibits discrimination on the basis of race, color, religion,
sex or national origin.

Title VI of the Civil Rights Act of 1964,
42 United States Code (U.S.C.), Section 2002-d et seq.
Prohibits discrimination on the basis of race, color or
national origin.

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Section 504 of the Rehabilitation Act of 1973,
29 United States Code (U.S.C.) Section 794 et seq.
The Americans With Disabilities Act,
42 United States Code (U.S.C.) Section 12101 et seq.
Prohibits discrimination on the basis of sex.

Title IX of the Education Amendments of 1972,
20 United States Code (U.S.C.) Section 1681 et seq.
Prohibits discrimination on the basis of sex.

New York State Executive Law
Section 290 et seq.
Prohibits discrimination on the basis of age, race, creed,
color, national origin, sex, sexual orientation, disability or
marital status.

Age Discrimination in Employment Act,
29 United States Code (U.S.C.) Section 621

New York State Military Law Sections 242 and 243,
Uniformed Services Employment and Reemployment
Rights Act of 1994,
38 United States Code Sections 4301-4333 -
Prohibit discrimination on the basis of military or veteran
status.

New York State Civil Service Law Section 107
Prohibits discrimination on the basis of political affiliation.

New York State General Municipal Law Section 681 et seq.
Grievance Procedure for Municipal Employees.

NOTE: Refer also to [Policy #1440 -- Non-Discrimination](#).

Adopted: 7-10-2002
Revised: 10-9-2008