

Monroe 2-Orleans BOCES Policy
Series 5000 – Personnel
Policy #5170 – COMPLAINTS AND GRIEVANCES BY EMPLOYEES

In accordance with the provisions of 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 or his/her designee is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

Civil Rights Compliance Officer

Additionally, the BOCES shall ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act (ADA). The District Superintendent shall designate a BOCES employee as the Title IX/Section 504/ADA Coordinator (i.e., A Civil Rights Compliance Officer), and regulations and procedures shall be implemented to resolve complaints of discrimination based on gender or disability.

Prior to the beginning of each 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 gender or disability. Included in such announcement will be the name, address and telephone number of the Civil Rights Compliance Officer.

The Civil Rights Compliance Officer shall also be responsible for handling complaints and grievances regarding discrimination based on age, sex, race, religion, color, national origin, disability, creed, marital status, veteran status, military status, sexual orientation, prior criminal offense, domestic violence victim status, gender identity, gender expression, or genetic status.

References:

Title VII of the Civil Rights Act of 1964, 42 United States Code (U.S.C.) Section 2000-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 2000-d et seq. - Prohibits discrimination on the basis of race, color or national origin.

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, disability or marital status.

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

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Military Law Sections 242 and 243

Policy References:

Refer also to Policy #1440 -- Non-Discrimination.

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