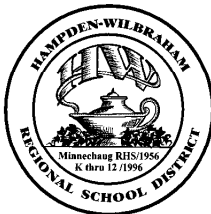


Hampden-Wilbraham Regional School District

Timothy W. Connor
Director of Curriculum and Instruction



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TITLE IX GRIEVANCE PROCEDURE

Students, parents of elementary and secondary school students, employees, applicants for admission and employment, third parties, and sources of referral of applicants for admission and employment with Hampden Wilbraham Regional School District have the right to file a complaint alleging noncompliance with the regulations outlined in Title IX of the Education Amendments of 1972. Complaints may be filed with the building principal or the District's Title IX Coordinator:

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Wilbraham, Ma. 01095
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Statement of Assurances:

-The District will not require the reporting party to resolve the issue with the alleged offender without the appropriate involvement of the District. The alleged victim retains the right to stop any informal resolution attempts and proceed with a formal complaint.

-The District will consider the potential impact of sexual harassment beyond the school campus of the grievant that may have an impact on his or her environment within the school campus.

-The District will consider providing interim measures in relation to those involved in the complaint while the District conducts an investigation, including separating the parties, providing counseling, making academic adjustments, etc. The building principal has the authority to implement such measures.

-The District will use the legal definition of preponderance of evidence standard to determine whether sexual harassment or sex discrimination under Title IX has occurred.

-The District shall annually review Title IX complaints for the purpose of identifying potential patterns at a particular school(s) or population.

-The District will take steps reasonably calculated to end discrimination that has been found; prevent reoccurrence of any discrimination, such as harassment; and correct its discriminatory effects on the grievant and others, if appropriate.

- Both the grievant and accused have a right to access the appeals process.

-Title IX protects grievants and others involved from retaliation for reporting allegations of sexual harassment, and/or participating in an investigation of sexual harassment, and District officials will take steps to address and prevent retaliation.

Procedures:

Level 1: Principal or Immediate Supervisor

Employees or students claiming sexual harassment or other sex discrimination may first discuss the grievance with their principal or immediate supervisor, with the object of resolving the matter informally. A student, parent, employee or third party individual with a sex discrimination/harassment complaint may discuss it with the teacher, counselor, or building administrator involved. Level 1 of the grievance procedure is informal and optional and may be bypassed by the grievant.

Level 2: Principal or Immediate Supervisor

If the grievance is not resolved at Level 1 with the Principal or Designee and the grievant wishes to pursue the grievance, or if Level 1 is not appropriate for resolving the grievance, the grievance may be formalized by filing a written complaint, providing an interview, or an assisted written complaint when necessary. The Principal or Designee will seek a list of witnesses or evidence from the grievant, the accused and others as relevant as part of the investigation. The Principal will conduct a formal investigation under the direct supervision of the District's Title IX Coordinator, Mr. Timothy Connor. The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at Level 2 must be within six months from the day of the event giving rise to the grievance or from the date the grievant could reasonably become aware of such an occurrence. The grievant may request that a meeting concerning the complaint be held with the Title IX Coordinator. A minor student may be accompanied at that meeting by a parent or guardian. A written report from the Principal to the grievant and accused regarding action taken will be sent within fifteen (15) working days after receipt of the complaint.

Level 2 Investigation Procedures:

Investigating the Complaint

- The Principal or Designee will conduct a prompt investigation of the complaint and complete the investigation in a timely manner. The building Principal or Designee will inform and consult with the District's Title IX Coordinator prior, during and after the investigative process. The Principal will document the investigative activities (e.g. takes notes of interviews conducted). The time to complete the investigation will vary depending on the nature and complexity of the issue but generally will not take more than ten (10) working days after receipt of the complaint.

- The investigation may include interviews of the grievant, the individual(s) accused of engaging in discriminatory or harassing behavior, and any other witness who may reasonably be expected to have relevant information. All interviewed parties and witnesses will be provided an opportunity to present any evidence they reasonably believe could be relevant to the situation.
- HWRSD will respect the privacy of the grievant, the individual(s) against whom the complaint is made, and the witnesses to the extent possible consistent with HWRSD's legal obligations to investigate and take appropriate action and to comply with discovery and disclosure obligations. All records generated in connection with the investigation will be maintained as confidential to the extent permitted by law.
- If a complaint is made about any of the persons having responsibility for the implementation and enforcement of the policy forbidding sex discrimination and harassment, the School Committee Chair will appoint an independent person to assume those responsibilities.
- At the conclusion of the investigation, the building Principal or Designee will obtain a signature from the Title IX Coordinator indicating proper oversight of the investigation. In addition to providing a written report to the grievant and accused regarding action taken within fifteen (15) working days after receipt of the complaint, as described above, the Principal or Designee will also prepare a written report to deliver to the Superintendent summarizing the evidence gathered during the investigation, providing a determination whether or to what extent the complaint has been substantiated, and recommending the corrective action if appropriate. The corrective action should be designed to stop the harassment/discrimination, prevent it from recurring, and remedy its effects, including services to the victim(s), if appropriate.

Level 3: Superintendent

If the complaint is not resolved at Level 2, the grievant or accused may proceed to Level 3 by presenting a written appeal to the Superintendent within ten (10) working days after the grievant receives the report from the Principal or Designee. The grievant or accused may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant or accused to discuss the appeal. A written decision will be rendered by the Superintendent or his/her designee within ten (10) working days after receiving the written appeal.

The procedure in no way denies the right of the grievant or accused to file a formal complaint at any time with the Massachusetts Commission Against Discrimination, United States Department of Education's Office for Civil Rights, or other agencies available for mediation or rectification of grievances, or to seek private counsel for complaints alleging discrimination.

DEFINITIONS

Preponderance of Evidence: The weight of the evidence shows it is more likely than not that discrimination occurred.

Grievance: An issue that a student, parent, third party or employee believes is a violation of civil rights under the Title IX law.

Student: Any person enrolled as a student in any school and/or educational or recreational program authorized by the school District.

Third Party Individual: A person who accesses a program or a facility within the District.

Employee: A person employed by HWRSD by contract or a contracted volunteer.

Title IX Coordinator: The person(s) designated by the school District School Committee to coordinate efforts to comply with Title IX.

Superintendent: The Superintendent of Schools or his/her designated representative.