

Hawthorne Public Schools

Affirmative Action Grievance & Complaint Process

Adopted from the New Jersey Department of Education Division of District and School Improvement Office of Equity and School Choice

In keeping with federal/state anti discrimination legislation, the Hawthorne Board of Education had adopted and the grievance procedure provided for the resolution of student, employee and parent complaints.

PURPOSE:

To provide students, employees and parents a procedure by which they can seek remedy for alleged violations related to discrimination on the basis of race, color, creed, religion, affectional or sexual orientation, sex, ancestry, national origin, or socioeconomic status.

DEFINITION:

- **Grievance** - a formal written complaint
- **Grievant** - Any student, employee, or parent aggrieved by a decision or condition falling under the guidelines of federal and/or state anti-discrimination laws
- **Affirmative Action Officer** - the district employee designated to coordinate efforts within the anti discrimination legislation and charged with the responsibility of investigating complaints

PROCEDURE:

Step # 1 - The grievance must present the complaint in written form to the responsible person designated as the Affirmative Action Office. [AA Complaint Form](#)

Step # 2 - The Affirmative Action Office has five working days in which to investigate and respond to the grievant.

Step #3 - If not satisfied, the grievant may appeal within ten working days to the Superintendent of School, Dr. Richard Spirito. Email appeal directly to rspirito@hawthorne.k12.nj.us

Step # 4 - Response by the Superintendent must be given within five working days.

Step # 5 - If the grievant is not satisfied at this level an appeal may be within ten working days to the Board of Education which will hear the complaint at the next regular meeting or within thirty calendar days. Local Board hearings shall be conducted so as to accord due process to all parties involved in the complaint such as written notice of hearing dates, right to counsel, right to present witnesses, right to cross-examine and to present written statement. The decision of the Board shall be by a majority of members at a meeting which shall be public.

Step # 6 - The Hawthorne Board of Education shall respond to the grievant within thirty calendar days

Step # 7 - If the grievant is not satisfied with the Board's decision the grievant can have it referred to the COunty Superintendent of Schools

Step # 8- The grievant maintains the right to by-pass the grievance procedure and submit the complaint directly to any or all of the following agencies:

1. The Commissioner of Education
Bureau of Controversies and Disputes
New Jersey Department of Education
PO Box 500
Trenton, NJ 08625
2. Equal Employment Opportunity
Commission Newark District Office
1 Newark Center, 21st Floor
Newark, New Jersey 07102

3. U.S. Office for Civil Rights
U.S. Department of Education
32 Old Slip, 26th Floor
New York, NY 10005-2500

4. New Jersey Division on Civil Rights
140 East Front Street, 6th Floor
PO Box 090
Trenton, NJ 08625-0090