

OFFICE OF THE DIRECTOR OFFICE OF THE DIRECTOR
COOPERATIVE
CENTRAL NINE CAREER CENTER

ADMINISTRATION
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NEW GUIDELINE - VOL. 25, NO. 1

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NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY

These administrative guidelines are established to assist in the proper implementation of Policy 1422 and Policy 1422.02.

Policy 1422 states:

The Board of Managers does not discriminate on the basis of the Protected Classes of race, color, national origin, sex (☒) (including sexual orientation and transgender identity) [end of option], disability, age, religion, military status, ancestry, genetic information, or any other legally protected category, in its programs and activities, including employment opportunities.

The following person(s) is/are designated to handle inquiries regarding the nondiscrimination policies of the Cooperative or to address any complaint of discrimination:

Name and/or Title _____
Curriculum Director

Address _____
1999 US 31
South, Greenwood, Indiana 46143

Telephone No. _____
317-888-4401

Name and/or Title _____

Address _____

Telephone No. _____

Notice of the Board's policy on nondiscrimination in employment practices shall be posted throughout the Cooperative, published in any Cooperative statement regarding the availability of employment, and in any staff handbooks.

[NOTE: The following optional section, which includes the following four paragraphs, is suggested to provide guidance to administrators concerning the current state of the law with respect to “sex” discrimination.]

[X] Sex-Based Discrimination

Discrimination against a transgender individual because that person is transgender is discrimination based on sex and therefore a violation of Title VII. Specifically, discrimination against transgender individuals on the basis of sex stereotyping/gender-nonconformity constitutes sex discrimination. This is true irrespective of the cause of the person's gender non-conforming behavior.

Additionally, employment actions based upon an individual's sexual orientation are suspect and potentially impermissible.

Administrators are required to investigate allegations of conduct involving the discrimination or harassment of an employee or applicant based upon his/her transgender identity or sexual orientation.

Any questions concerning whether alleged conduct might violate this prohibition should be promptly brought to the Director's attention.

[END OF OPTION]

Military Status

For purposes of this policy/administrative guideline, “military status” refers to a person's status in the uniformed services which includes the performance of duty, on a voluntary or involuntary basis, in a uniformed service including active duty, active duty for training, initial active duty for training, inactive duty for training, and full-time National Guard duty. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

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NEW GUIDELINE - VOL. 25, NO. 1**COMPLAINT PROCEDURES FOR NONDISCRIMINATION
AND EQUAL EMPLOYMENT OPPORTUNITY/ACCESS**

If a person believes that s/he has been discriminated against or denied equal opportunity or access to the Cooperative's programs, activities, or services, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

The following person(s) ~~is~~ ~~are~~ designated as the Cooperative's Civil Rights Coordinator:

Curriculum Director
1999 US 31 South
Greenwood, IN 46143
317-888-4401

{Name(s) and/or Title(s)} _____

{Address} _____

{Phone Number} _____

{Facsimile Number} _____

{E-mail} _____

The individual may also, at any time, contact the U.S. Department of Education, Office for Civil Rights, Chicago Office, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, Illinois 60661; Telephone: (312) 730-1530; Fax: (312) 730-1576; TDD: 877-521-2172; E-mail: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.

Internal Complaint Procedures

A person who believes s/he has a valid basis for a complaint may discuss the matter informally and on an oral basis with the Cooperative's Civil Rights Coordinator, who will investigate the complaint and reply with an answer to the complainant. If the informal procedures do not resolve the matter to the complainant's satisfaction or s/he skips the informal process, s/he may initiate formal procedures according to the following steps:

Step 1

Investigation by the Cooperative Civil Rights Coordinator: A person may initiate a formal investigation by filing a written complaint (Form 1422 F1) with the Cooperative Civil Rights Coordinator. The complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, and describe the alleged discriminatory action in sufficient detail to inform the Civil Rights Coordinator of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) calendar days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the Civil Rights Coordinator for good cause. The Civil Rights Coordinator will conduct an impartial investigation of the complaint. As part of the investigation, the Civil Rights Coordinator shall permit the complainant to present witnesses and other evidence in support of his/her complaint. The investigation shall be completed within fifteen (15) business days of the written complaint being filed. The Civil Rights Coordinator will notify the complainant in writing of his/her decision and will maintain the Cooperative's files and records relating to the complaint.

Option #1**Step 2**

Appeal to the Director: If the complainant is not satisfied with the Civil Rights Coordinator's Step 1 decision, s/he may submit, in writing, a signed statement of appeal to the Director within five (5) business days after receipt of the Coordinator's response. The Director will review the case, may conduct an informal hearing, and will notify the complainant within ten (10) business days of receiving the written appeal.

Step 3

Appeal to the Board of Managers: If the complainant remains unsatisfied, s/he may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Director's response in Step 2. In an attempt to resolve the complaint, the School Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.

The complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

[NOTE: END OF OPTION #1]

Option #2 (Director as CRC)Step 2

~~Appeal to the Board of Managers: If the complaint is not satisfied with the Civil Rights Coordinator's Step 1 decision, s/he may submit, in writing, a signed statement of appeal to the Board within five (5) business days of his/her receipt of the Director's response. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.~~

~~The complainant may be represented at his/her own cost, at any of the above-described meetings/hearings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.~~

[NOTE: END OF OPTION #2]

The Civil Rights Coordinator will provide a copy of the Cooperative's complaint procedure to any person who files a complaint and will investigate all complaints in accordance with this procedure.

A copy of each of the Acts and the regulations on which this notice is based, may be found in the Civil Rights Coordinator's office.

Prohibition Against Retaliation

The Board will not discriminate against, coerce, intimidate, threaten, or interfere with any individual because the person opposed any act or practice made unlawful by any Federal civil rights law, or because that individual made a charge, testified, assisted, or participate in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided, or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

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REVISED GUIDELINE – VOL. 25, NO. 1

**NONDISCRIMINATION AND
ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

~~The Director establishes these administrative guidelines. These guidelines are established~~ to assist in the proper implementation of Policy 2260.

~~That policy states: that the Board does not discriminate on the basis of religion, race, color, national origin, sex, disability, age, or genetic information in its programs and activities, or employment.~~

The Board of Managers does not discriminate on the basis of the Protected Classes of race, color, national origin, sex **(X)** (including sexual orientation and transgender identity) **(end of option)**, disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities.

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The Board also does not discriminate on the basis of Protected Classes in its employment practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the Cooperative, or social or economic background, to learn through the curriculum offered in this Cooperative. Educational programs shall be designed to meet the varying needs of all students.

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The following person(s) ~~have been~~ is/are designated to handle inquiries regarding the non-discrimination policies of the Cooperative or to address any complaint of discrimination:

Curriculum Director
1999 US 31 South
Greenwood, IN 46143
317-888-4401

Name and/or Title _____

Address _____

Telephone No. _____

Name and/or Title _____

Address _____

Telephone No. _____

Notice of the Board's policy on nondiscrimination in educational practices shall be posted throughout the ~~Cooperative Corporation~~, published in any Cooperative statement regarding the availability of educational services, and in all student handbooks.

~~Children who have been diagnosed as having a disability and who, through a multi-factored evaluation, qualify for categorical services under IDEIA will be served under the existing State Special Education regulations. Section 504 protects and safeguards all students with a mental or physical impairment that substantially limits one (1) or more major life activities, or:~~

~~A. the student has a record of such an impairment.~~

~~B. the student is regarded as having such an impairment.~~

~~The Cooperative will identify, evaluate, and provide an appropriate education for students who are disabled under Section 504. The Cooperative Corporation will identify, evaluate, and provide a free appropriate public education to students with disabilities.~~

OFFICE OF THE DIRECTOR

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COOPERATIVE **Central Nine Career Center** 2260/page 3 of 7

[NOTE: The following optional section, which includes the following four paragraphs and the embedded two paragraph quote, can be included to provide guidance to administrators concerning the current state of the law with respect to "sex" discrimination.]

[X] GENDER BASED HARASSMENT

The United States Department of Education, Office for Civil Rights ("OCR") considers gender-based harassment to be a form of sex discrimination. In 2010, OCR stated:

"Title IX prohibits harassment of both male and female students regardless of the sex of the harasser – i.e., even if the harasser and target are members of the same sex. It also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping. Thus, it can be sex discrimination if students are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex, or failing to conform to stereotypical notions of masculinity and femininity. Title IX also prohibits sexual harassment and gender-based harassment of all students, regardless of the actual or perceived sexual orientation or gender identity of the harasser or target."

"Although Title IX does not prohibit discrimination based solely on sexual orientation, Title IX does protect all students, including lesbian, gay, bisexual, and transgender (LGBT) students, from sex discrimination. When students are subjected to harassment on the basis of their LGBT status, they may also be subjected to forms of sex discrimination prohibited under Title IX. The fact that the harassment includes anti-LGBT comments or is partly based on the target's actual or perceived sexual orientation does not relieve a school of its obligation under Title IX to investigate and remedy overlapping sexual harassment or gender-based harassment."

Courts have also endorsed this interpretation of Title IX.

Administrators and professional staff are directed to thoroughly investigate any allegations of gender-based harassment.

Any questions concerning whether alleged conduct might involve gender-based harassment/sex discrimination should be promptly be brought to the Director's attention.

[End of Option]

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FACILITIES

The educational program of this Cooperative Corporation shall be accessible to all students. All programs need to be designed and scheduled so the location or nature of the facility or area will not deny an otherwise-qualified ~~student~~ student with a disability the opportunity to participate in the academic or other school program on the same basis as a nondisabled student.

Service ~~dogs~~ animals for students who require this type of assistance shall be permitted access to all facilities, programs, and events of the Cooperative. ~~The student must provide evidence of the dog's certification for that purpose. If the dog is still in training, proof of liability insurance policy must be provided.~~

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The educational program includes the academic and nonacademic setting. Each qualified, disabled student shall be educated with nondisabled students to the maximum extent appropriate. In the nonacademic setting, the disabled student shall participate with the nondisabled students to the maximum extent appropriate.

Each principal shall verify that the procedures used with students and parents for selection of and participation in any part of the Cooperative's Corporation's academic, co-curricular, or extra-curricular program do not discriminate on the basis ~~of the Protected Classes, race, color, national origin, gender, age, or disability.~~ (See AG 2411 - Guidance and Counseling).

Referral (see Form 2260.01A-F4)

~~Referrals shall be handled in accordance with AG 2260.01A. If the referring person suspects that the student is eligible for services through IDEIA, the procedures for identification, evaluation, and placement must be followed. If the IDEIA evaluation team determines the child is ineligible under IDEIA, the team may determine the student's eligibility for protection and a free appropriate public education (FAPE) under Section 504. If s/he is eligible, a Section 504 Plan shall be developed as appropriate.~~

~~If the referring person does not suspect an IDEIA disability or has knowledge that the student does not qualify under IDEIA, the student shall be evaluated in accordance with the Section 504 evaluation procedures (AG 2260.01A).~~

Evaluation/Placement

Prior to evaluation, the _____ shall notify the parent and obtain written consent of the parent.

The Section 504 evaluation shall be handled in accordance with AG 2260.01A.

If the team determines that the student is disabled under 504, it will determine whether the student requires a Section 504 Plan in order to receive FAPE. If s/he does, the team will develop a Section 504 Plan (see Form 2260.01A F13).

If the 504 team determines that the student is not disabled under 504, it shall document the decision, provide the basis of the decision, and state that the student may be served appropriately in the regular education setting without related services or special interventions. The parents shall be provided with written notice of their rights under Section 504 (see Form 2260.01A F13—Notice of Section 504/ADA Procedural Information and Rights).

INSTRUCTION

Because of the least restrictive environment requirements, the principal should review AG 2260.01A and AG 2260.01B and then work with the teacher(s) involved to make sure s/he (each):

- A. recognizes the requirements of the law and the relationship between the evaluation of the student and his/her instruction;
- B. has made appropriate accommodation in the instructional program and/or classroom environment as provided in the student's 504 Plan;
- C. understands the needs of the students which should be met through appropriate instruction.

Evaluation/Change in Placement

Annually, the student's 504 team shall review the student's progress and determine if further intervention and/or modification in the plan is needed.

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DISCIPLINE

~~The disciplinary process described in Policy 2461 should be used in all situations in which a 504 disabled student may be subject to suspension, expulsion, or exclusion. Since expulsion or cumulative forms of suspension may constitute a change in placement, the evaluation procedures in AG 2260A must be followed.~~

DRUG-RELATED CIRCUMSTANCES

~~If a student, disabled only under Section 504, is caught with drugs at school, s/he may be disciplined in accordance with AG 5610. The disciplinary procedures required for IDEIA do not apply.~~

COMPLAINTS

~~All complaints should be handled in accordance with the procedure described in AG 2260B and AG 2260.01B. The complainant is to be informed that s/he may contact the Office of Civil Rights at any time.~~ All complaints shall be handled in accordance with the procedure described in AG 2260B or AG 2260.01B. The complainant is to be informed that s/he may contact the U.S. Department of Education's Office for Civil Rights at any time.

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REVISED GUIDELINE - VOL. 25, NO. 1

COMPLAINT PROCEDURES FOR NONDISCRIMINATION AND
EQUAL EDUCATIONAL OPPORTUNITY/ACCESS

Section-I

If a person believes that s/he has been discriminated against or denied equal opportunity or access to the Cooperative's programs, activities, or services, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

The following person(s) is/are designated as the Cooperative's Civil Rights Coordinator:

Curriculum Director
1999 US 31 South
Greenwood, IN 46143
317-888-4401

[Name(s) and/or Title(s)]

[Address]

[Phone Number]

[Facsimile Number]

[E-mail]

~~Any person who believes that s/he has been discriminated against or denied equal opportunity or access to programs or services may file a complaint, which may be referred to as a grievance, with the Cooperative's Civil Rights Coordinator.~~
~~[LIST NAME, COOPERATIVE, ADDRESS, CITY, STATE, ZIP, PHONE]~~
~~(see Form 2260 F2 and Form 2260 F8)~~

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The individual may also, at any time, contact the U.S. Department of Education, Office for Civil Rights, Chicago Office, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, Illinois 60661; Telephone: (312) 730-1530; Fax: (312) 730-1576; TDD: 877-521-2172; E-mail: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.

Section H-Internal Complaint Procedures

A person who believes s/he has a valid basis for a complaint, may discuss the matter informally and on an oral basis with the Cooperative's Civil Rights Coordinator, who will investigate the complaint and reply with an answer to the complainant. If the informal procedures do not resolve the matter to the complainant's satisfaction or s/he skips the informal process, s/he may initiate formal procedures according to the following steps:

Step 1

Investigation by the Cooperative Civil Rights Coordinator: A person may initiate a formal investigation by filing a written complaint ([Form 2260 F1](#)) with the Cooperative Civil Rights Coordinator. The complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, and describe the alleged discriminatory action in sufficient detail to inform the Civil Rights Coordinator of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) calendar days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the Civil Rights Coordinator for good cause. The Civil Rights Coordinator will conduct an impartial investigation of the complaint. As part of the investigation, the Civil Rights Coordinator shall permit the complainant to present witnesses and other evidence in support of his/her complaint. The investigation shall be completed within ~~ten (10)~~ [fifteen \(15\)](#) business days of the written complaint being filed. The Civil Rights Coordinator will notify the complainant in writing of his/her decision and will maintain the Cooperative's files and records relating to the complaint.

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Option #1

Step 2

Appeal to the Director: If the complainant is not satisfied with the Civil Rights Coordinator's Step 1 decision, s/he may submit, in writing, a signed statement of appeal to the Director of Schools within five (5) business-school days after receipt of the Coordinator's response. The Director ~~shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days of receiving the written appeal.~~ will review the case, may conduct an informal hearing, and will notify the complainant in writing of his/her decision within ten (10) school days of receiving the written appeal.

Step 3

Appeal to the Board of Managers: If the complainant remains unsatisfied, s/he may appeal through a signed written statement to the Board within five (5) business-school days of his/her receipt of the Director's response in Step 2. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their ~~representative~~ representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.

The complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a Complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

[NOTE: END OF OPTION #1]

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Option #2 [Director as CRC]

Step 2

~~Appeal to the Board of Managers: If the complainant is not satisfied with the Civil Rights Coordinator's Step 1 decision, s/he may submit, in writing a signed statement of appeal to the School Board within five (5) business school days of his/her receipt of the Director's response. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.~~

~~The complainant may be represented, at his/her own cost, at any of the above described meetings/hearings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a Complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.~~

[NOTE: END OF OPTION #2]

The Civil Rights Coordinator will provide a copy of the Cooperative's complaint procedure to any person who files a complaint and will investigate all complaints in accordance with this procedure.

A copy of each of the Acts and the regulations on which this notice is based, may be found in the Civil Rights Coordinator's office.

Prohibition Against Retaliation

The Board will not discriminate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

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PROFESSIONAL STAFF

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REVISED GUIDELINE – VOL. 25, NO. 1

NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY

~~These guidelines shall be used to ensure that the Board of Managers Policy 3122 on nondiscrimination is implemented properly and in compliance with Federal and State laws and regulations, particularly Part 104 of Section 504 of the Rehabilitation Act of 1973 (34 C.F.R.) and the Americans with Disabilities Act (ADA). (See AG 3122C for a comparative analysis of ADA and 504.)~~ These administrative guidelines are established to assist in the proper implementation of Policy 3122 and Policy 3122.02.

~~That policy states that the Board does not discriminate on the basis of religion, race, color, national origin, gender, disability, age, marital status, genetic information, or any other legally protected characteristic in its programs and activities, including employment opportunities. Policy 3122 states:~~

The Board of Managers does not discriminate on the basis of the Protected Classes of race, color, national origin, sex (X) (including sexual orientation and transgender identity) **[end of option]**, disability age, religion, military status, ancestry, genetic information, or any other legally protected category, in its programs and activities, including employment opportunities.

~~The following person(s) has (have) is/are~~ been designated to handle inquiries regarding the nondiscrimination policies of the Cooperative or to address any complaint of discrimination:

Curriculum Director
1999 US 31 South
Greenwood, IN 46143
317-888-4401

Name and/or Title _____

Address _____

Telephone No. _____

Name and/or Title _____

OFFICE OF THE DIRECTOR
COOPERATIVE
CENTRAL NINE CAREER CENTER

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Address _____

Telephone No. _____

~~Notice of the Board's policy on nondiscrimination in employment practices shall be posted throughout the Cooperative, published in any Cooperative statement regarding the availability of employment, and in any staff handbooks.~~

~~When referred to in policy and in these and other administrative guidelines, "person with a disability" shall mean any staff member or candidate for employment who meets any of the following criteria established by Federal law:~~

- ~~A. has a physical or mental impairment which substantially limits one (1) or more major life activities~~
- ~~B. has a record of such impairment~~
- ~~C. is regarded as having such an impairment~~

~~Significant exclusions are employees or an applicant currently engaged in illegal drug use or whose use of alcohol prevents the person from performing job responsibilities or poses a direct threat to the safety and property of others.~~

~~In order to be a qualified individual with a disability, an individual must be able to perform the essential functions of the position with or without accommodation. The following are a nonexclusive list of reasons that a job function may be considered essential:~~

- ~~A. the reason the position exists is to perform that function~~
- ~~B. a limited number of employees are available among whom the performance of the job function can be distributed~~
- ~~C. the function is highly specialized so that an individual is hired for his/her expertise in performing that function~~

~~The following may be considered as evidence in determining whether a particular function is essential:~~

- ~~A. the employer's judgment as to which functions are essential~~
- ~~B. written job descriptions prepared before advertising or interviewing applicants for the job~~
- ~~C. the amount of time spent on the job performing the function~~
- ~~D. the consequences of not requiring the incumbent to perform the function~~
- ~~E. the work experience of past incumbents in the job~~
- ~~F. the current work experience of incumbents in similar jobs~~

Recruiting and Hiring

~~No candidate for employment shall be required to answer a question regarding a disabling condition and no such candidate will be discriminated against on the basis of a disabling condition unless it is directly related to the essential function of the position for which s/he has applied and cannot be reasonably accommodated. However, this stipulation does not constrain the need to ensure that an applicant is not afflicted with a currently communicable disease or infection which would constitute a direct threat to staff and students nor to determining if an applicant is an abuser of substances.~~

~~All employee medical records are to be filed separately from personnel records and be treated as confidential records.~~

Reasonable Accommodation

~~It is essential that no discrimination occur in employment, promotion, assignment, or transfer because of a disabling condition. If the person has all of the qualifications required to properly fulfill the job responsibilities, then reasonable efforts must be made to modify existing facilities, the work environment, or working conditions to accommodate a particular disabling condition, providing such accommodation does not seriously diminish the quality of programs or services provided by the Cooperative.~~

~~With both ADA and Section 504, the Cooperative must show that the accommodation would impose undue hardship on its operation. The factors to be considered in determining whether an accommodation imposes undue hardship include the type of operation and the nature and cost of the accommodation needed.~~

~~Undue hardship is not limited to financial difficulty. It refers to any accommodation that would be unduly costly, extensive, substantial, disruptive, or that would fundamentally alter the nature of the Cooperative.~~

~~The EEOC provided a nonexclusive list of defenses to allegations of discrimination pursuant to the ADA in the proposed regulations thereto. This list includes the following:~~

- ~~A. Charges of disparate treatment: The challenged treatment is justified by a legitimate, nondiscriminatory reason.~~
- ~~B. Charges of discriminatory application of selection criteria: The selection criteria have been shown to be job related and consistent with business necessity and performance of the job cannot be accomplished with reasonable accommodation.~~
- ~~C. Charges of not making reasonable accommodations: The requested or needed accommodation would impose undue hardship on the operation of the business.~~
- ~~D. Conflict with other Federal law: The challenged action is required by another Federal law.~~

~~E. Specific activities permitted: The alleged discriminatory activity may be specifically permitted. Examples of this defense include:~~

- ~~1. religious entities may require that all applicants and employees conform to its religious tenets;~~
- ~~2. regulation of alcohol and drugs;~~
- ~~3. drug testing;~~
- ~~4. regulation of smoking;~~
- ~~5. infectious and communicable diseases; food handling jobs.~~

Job Descriptions

Each job description should be carefully analyzed to:

- ~~(-) identify any environmental factors that could create a barrier for a "person with a disability";~~
- ~~(-) ensure that all essential physical, mental, and intellectual qualifications have been defined and justified.~~

[NOTE: The following optional section, which includes the following four paragraphs, is suggested to provide guidance to administrators concerning the current state of the law with respect to "sex" discrimination.]

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[X] Sex-Based Discrimination

Discrimination against a transgender individual because that person is transgender is discrimination based on sex and therefore a violation of Title VII. Specifically, discrimination against transgender individuals on the basis of sex stereotyping/gender-nonconformity constitutes sex discrimination. This is true irrespective of the cause of the person's gender non-conforming behavior.

Additionally, employment actions based upon an individual's sexual orientation are suspect and potentially impermissible.

Administrators are required to investigate allegations of conduct involving the discrimination or harassment of an employee or applicant based upon his/her transgender identity or sexual orientation.

Any questions concerning whether alleged conduct might violate this prohibition should be promptly brought to the Director's attention.

[END OF OPTION]

Military Status

For purposes of this policy/administrative guideline, "military status" refers to a person's status in the uniformed services which includes the performance of duty, on a voluntary or involuntary basis, in a uniformed service including active duty, active duty for training, initial active duty for training, inactive duty for training, and full-time National Guard duty. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

OFFICE OF THE DIRECTOR

COOPERATIVE CORPORATION

PROFESSIONAL STAFF

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**COMPLAINT PROCEDURES FOR NONDISCRIMINATION
AND EQUAL EMPLOYMENT OPPORTUNITY/ACCESS**

Section-I

If a person believes that s/he has been discriminated against or denied equal opportunity or access to the Cooperative's programs, activities, or services, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

The following person(s) is/are designated as the Cooperative's Civil Rights Coordinator:

Curriculum Director
1999 US 31 South
Greenwood, IN 46143
317-888-4401

[Name(s) and/or Title(s)]

[Address]

[Phone Number]

[Facsimile Number]

[E-mail]

~~Any person who believes that s/he has been discriminated against or denied equal opportunity or access to programs or services may file a complaint, which may be referred to as a grievance, with the Cooperative's Civil Rights Coordinator.~~
[LIST NAME, COOPERATIVE, ADDRESS, CITY, STATE, ZIP, PHONE]
(see Form 3122 F8)

OFFICE OF THE DIRECTOR

PROFESSIONAL STAFF

COOPERATIVE CORPORATION

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The individual may also, at any time, contact the U.S. Department of Education, Office for Civil Rights Chicago Office, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, Illinois 60661; Telephone: (312) 730-1530; Fax: (312) 730-1576; TDD: 877-521-2172; E-mail: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.

Section III Internal Complaint Procedures

A person who believes s/he has a valid basis for a complaint may discuss the matter informally and on an oral basis with the Cooperative's Civil Rights Coordinator, who will investigate the complaint and reply with an answer to the complainant. If the informal procedures do not resolve the matter to the complainant's satisfaction or s/he skips the informal process, s/he may initiate formal procedures according to the following steps:

Step 1

Investigation by the Cooperative Civil Rights Coordinator: A person may initiate a formal investigation by filing a written complaint ([Form 3122 F1](#)) with the Cooperative Civil Rights Coordinator. The complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, and describe the alleged discriminatory action in sufficient detail to inform the Civil Rights Coordinator of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) calendar days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the Civil Rights Coordinator for good cause. The Civil Rights Coordinator will conduct an impartial investigation of the complaint. As part of the investigation, the Civil Rights Coordinator shall permit the complainant to present witnesses and other evidence in support of his/her complaint. The investigation shall be completed within ~~ten~~ [\(10\)-fifteen \(15\)](#) business days of the written complaint being filed. The Civil Rights Coordinator will notify the complainant in writing of his/her decision and will maintain the Cooperative's files and records relating to the complaint.

Option #1

Step 2

Appeal to the Director: If the complainant is not satisfied with the Civil Rights Coordinator's Step 1 decision, s/he may submit, in writing, a signed statement of appeal to the Director within five (5) business days after receipt of the Coordinator's response. The Director ~~shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days of receiving the written appeal.~~ will review the case, may conduct an informal hearing, and will notify the complainant in writing of his/her decision within ten (10) business days of receiving the appeal.

Step 3

Appeal to the Board of Mangers: If the complainant remains unsatisfied, s/he may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Director's response in Step 2. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.

The complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

[NOTE: END OF OPTION #1]

Option #2 [Director as CRC]

Step 2

~~Appeal to the Board of Managers: If the complaint is not satisfied with the Civil Rights Coordinator's Step 1 decision, s/he may submit, in writing, a signed statement of appeal to the Board within five (5) business days of his/her receipt of the Director's response. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.~~

~~The complainant may be represented at his/her own cost, at any of the above described meetings/hearings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.~~

[NOTE: END OF OPTION #2]

The Civil Rights Coordinator will provide a copy of the Cooperative's complaint procedure to any person who files a complaint and will investigate all complaints in accordance with this procedure.

A copy of each of the Acts and the regulations on which this notice is based, may be found in the Civil Rights Coordinator's office.

Prohibition Against Retaliation

The Board will not discriminate against, coerce, intimidate, threaten, or interfere with any individual because the person opposed any act or practice made unlawful by any Federal civil rights law, or because that individual made a charge, testified, assisted, or participate in any manner in an investigation, proceeding, or hearing under those laws or because that individual exercised, enjoyed, aided, or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

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DELETE GUIDELINE – VOL. 25, NO. 1

EVALUATION

Evaluations of the professional staff members shall, when applicable, comply with provisions of a collectively-bargained, negotiated agreement. In all cases, evaluations should meet the following conditions:

- [] Evaluations are conducted every _____ months for first year faculty members and every _____ months for all other faculty members.
- [] Job objectives are clearly stated, are complete and accurate in content, are agreed upon by the evaluator and evaluatee, and are divided into the following categories:
 - () expected/desired results (what is to be accomplished)
 - () expected/desired actions (how something is to be done)
 - () expected/desired attitudes (willingness to act in a particular manner)
- [] Factors hindering achievement of job objectives are clearly-defined and agreed upon by the evaluator and evaluatee.
- [] Evaluation procedures are established and mutually agreed-upon, and which ensure that the same process is used for similar positions and the confidentiality of the staff member is protected.

STRATEGY FOR EVALUATION

The following guidelines should be followed when designing an evaluation plan. (See AG 2605 for steps of the strategy and additional guidelines.)

A. Relevant Terms

- () measurement - determination of the current result and/or performance
- () assessment - comparison of the current result/performance with a desired and/or minimally acceptable level of quality
- () observation - measurement and/or assessment while one or more aspects of the expected result is being produced or created (performance)
- () evaluation - value judgement about the result/performance based on the assessment

B. Intended Outcome of the Evaluation Plan

The procedure should produce conclusions that:

- () include those characteristics of a result and/or performance that meet or exceed described standards;
- () include those characteristics that fall below such standards;
- () are complete (no missing elements), accurate (no factual errors or unsupported inferences), and clear (understandable by all relevant parties);
- () indicate priorities for closing important gaps between current results/performance and expected results/performance;
- () provide a judgement about the value or worth of the result and/or performance.

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REVISED GUIDELINE - VOL. 25, NO. 1

NONDISCRIMINATION AND
EQUAL EMPLOYMENT OPPORTUNITY

These guidelines shall be used to ensure that the Board of Managers Policy 4122 on nondiscrimination is implemented properly and in compliance with Federal and State laws and regulations, particularly Part 104 of Section 504 of the Rehabilitation Act of 1973 (34 C.F.R.) and the Americans with Disabilities Act (ADA). (See AG 4122C for a comparative analysis of ADA and 504.) These administrative guidelines are established to assist in the proper implementation of Policy 4122 and Policy 4122.02.

That policy states that the Board does not discriminate on the basis of religion, race, color, national origin, gender, disability, age, genetic information, or any other legally protected characteristic in its programs and activities, including employment opportunities. Policy 4122 states:

The School Board does not discriminate on the basis of the Protected Classes of race, color, national origin, sex (X) (including sexual orientation and transgender identity) [end of option], disability age, religion, military status, ancestry, genetic information, or any other legally protected category, in its programs and activities, including employment opportunities.

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The following person(s) ~~has (have)~~ is/are been designated to handle inquiries regarding the nondiscrimination policies of the Cooperative or to address any complaint of discrimination:

Curriculum Director
1999 US 31 South
Greenwood, IN 46143
317-888-4401

Name and/or Title _____

Address _____

Telephone No. _____

Name and/or Title _____

Address _____

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Telephone No. _____

~~Notice of the Board's policy on nondiscrimination in employment practices shall be posted throughout the Cooperative, published in any Cooperative statement regarding the availability of employment, and in any staff handbooks.~~

~~When referred to in policy and in these and other administrative guidelines, "person with a disability" shall mean any staff member or candidate for employment who meets any of the following criteria established by Federal law:~~

- ~~A. has a physical or mental impairment which substantially limits one (1) or more major life activities~~
- ~~B. has a record of such impairment~~
- ~~C. is regarded as having such an impairment~~

~~Significant exclusions are employees or an applicant currently engaged in illegal drug use or whose use of alcohol prevents the person from performing job responsibilities or poses a direct threat to the safety and property of others.~~

~~In order to be a qualified individual with a disability, an individual must be able to perform the essential functions of the position with or without accommodation. The following is a nonexclusive list of reasons that a job function may be considered essential:~~

- ~~A. the reason the position exists is to perform that function~~
- ~~B. a limited number of employees are available among whom the performance of the job function can be distributed~~
- ~~C. the function is highly specialized so that an individual is hired for his/her expertise in performing that function~~

~~The following may be considered as evidence in determining whether a particular function is essential:~~

- ~~A. the employer's judgment as to which functions are essential~~
- ~~B. written job descriptions prepared before advertising or interviewing applicants for the job~~
- ~~C. the amount of time spent on the job performing the function~~

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- D. ~~the consequences of not requiring the incumbent to perform the function~~
- E. ~~the work experience of past incumbents in the job~~
- F. ~~the current work experience of incumbents in similar jobs~~

Recruiting and Hiring

~~No candidate for employment shall be required to answer a question regarding a disabling condition and no such candidate will be discriminated against on the basis of a disabling condition unless it is directly related to the essential function of the position for which s/he has applied and cannot be reasonably accommodated. However, this stipulation does not constrain the need to ensure that an applicant is not afflicted with a currently communicable disease or infection which would constitute a direct threat to staff and students nor to determining if an applicant is an abuser of substances.~~

~~All employee medical records are to be filed separately from personnel records and be treated as confidential records.~~

Reasonable Accommodation

~~It is essential that no discrimination occur in employment, promotion, assignment, or transfer because of a disabling condition. If the person has all of the qualifications required to properly fulfill the job responsibilities, then reasonable efforts must be made to modify existing facilities, the work environment, or working conditions to accommodate a particular disabling condition, providing such accommodation does not seriously diminish the quality of programs or services provided by the Cooperative.~~

~~With both ADA and Section 504, the Cooperative must show that the accommodation would impose undue hardship on its operation. The factors to be considered in determining whether an accommodation imposes undue hardship include the type of operation and the nature and cost of the accommodation needed.~~

~~Undue hardship is not limited to financial difficulty. It refers to any accommodation that would be unduly costly, extensive, substantial, disruptive, or that would fundamentally alter the nature of the Cooperative.~~

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The EEOC provided a nonexclusive list of defenses to allegations of discrimination pursuant to the ADA in the proposed regulations thereto. This list includes the following:

- A. ~~Charges of disparate treatment: The challenged treatment is justified by a legitimate, nondiscriminatory reason.~~
- B. ~~Charges of discriminatory application of selection criteria: The selection criteria have been shown to be job related and consistent with business necessity and performance of the job cannot be accomplished with reasonable accommodation.~~
- C. ~~Charges of not making reasonable accommodations: The requested or needed accommodation would impose undue hardship on the operation of the business.~~
- D. ~~Conflict with other Federal law: The challenged action is required by another Federal law.~~
- E. ~~Specific activities permitted: The alleged discriminatory activity may be specifically permitted. Examples of this defense include:~~
 - 1. ~~religious entities may require that all applicants and employees conform to its religious tenets;~~
 - 2. ~~regulation of alcohol and drugs;~~
 - 3. ~~drug testing;~~
 - 4. ~~regulation of smoking;~~
 - 5. ~~infectious and communicable diseases; food handling jobs.~~

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Job Descriptions

Each job description should be carefully analyzed to:

- (-) ~~identify any environmental factors that could create a barrier for a person with a disability;~~
- (-) ~~ensure that all essential physical, mental, and intellectual qualifications have been defined and justified.~~

[NOTE: The following optional section, which includes the following four paragraphs, is suggested to provide guidance to administrators concerning the current state of the law with respect to "sex" discrimination.]

[X] Sex-Based Discrimination

Discrimination against a transgender individual because that person is transgender is discrimination based on sex and therefore a violation of Title VII. Specifically, discrimination against transgender individuals on the basis of sex stereotyping/gender-nonconformity constitutes sex discrimination. This is true irrespective of the cause of the person's gender non-conforming behavior.

Additionally, employment actions based upon an individual's sexual orientation are suspect and potentially impermissible.

Administrators are required to investigate allegations of conduct involving the discrimination or harassment of an employee or applicant based upon his/her transgender identity or sexual orientation.

Any questions concerning whether alleged conduct might violate this prohibition should be promptly brought to the Director's attention.

[END OF OPTION]

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Military Status

For purposes of this policy/administrative guideline, "military status" refers to a person's status in the uniformed services which includes the performance of duty, on a voluntary or involuntary basis, in a uniformed service including active duty, active duty for training, initial active duty for training, inactive duty for training, and full-time National Guard duty. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

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REVISED GUIDELINE – VOL. 25, NO. 1

**COMPLAINT PROCEDURES FOR NONDISCRIMINATION
AND EQUAL EMPLOYMENT OPPORTUNITY/ACCESS**

Section-I

If a person believes that s/he has been discriminated against or denied equal opportunity or access to the Cooperative's programs, activities, or services, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

The following person(s) is/are designated as the Cooperative's Civil Rights Coordinator:

Curriculum Director
1999 US 31 South
Greenwood, IN 46143
317-888-4401

[Name(s) and/or Title(s)]

[Address]

[Phone Number]

[Facsimile Number]

[E-mail]

~~Any person who believes that s/he has been discriminated against or denied equal opportunity or access to programs or services may file a complaint, which may be referred to as a grievance, with the Cooperative's Civil Rights Coordinator.~~
[LIST NAME, COOPERATIVE, ADDRESS, CITY, STATE, ZIP, PHONE]

The individual may also, at any time, contact the U.S. Department of Education, Office for Civil Rights, Chicago Office, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, Illinois 60661; Telephone: (312) 730-1530; Fax: (312) 730 1576; TDD: 877-521-2172; E-mail: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.

~~Section III~~Internal Complaint Procedures

A person who believes s/he has a valid basis for a complaint may discuss the matter informally and on an oral basis with the District's Civil Rights Coordinator, who will investigate the complaint and reply with an answer to the complainant. If the informal procedures do not resolve the matter to the complainant's satisfaction or s/he skips the informal process, s/he may initiate formal procedures according to the following steps:

Step 1

Investigation by the Cooperative Civil Rights Coordinator: A person may initiate a formal investigation by filing a written complaint ([Form 4122 F1](#)) with the Cooperative Civil Rights Coordinator. The complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, and describe the alleged discriminatory action in sufficient detail to inform the Civil Rights Coordinator of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) calendar days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the Civil Rights Coordinator for good cause. The Civil Rights Coordinator will conduct an impartial investigation of the complaint. As part of the investigation, the Civil Rights Coordinator shall permit the complainant to present witnesses and other evidence in support of his/her complaint. The investigation shall be completed within ~~ten~~ [\(10\) fifteen \(15\)](#) business days of the written complaint being filed. The Civil Rights Coordinator will notify the complainant in writing of his/her decision and will maintain the Cooperative's files and records relating to the complaint.

Option #1Step 2

Appeal to the Director: If the complainant is not satisfied with the Civil Rights Coordinator's Step 1 decision, s/he may submit, in writing, a signed statement of appeal to the Director within five (5) business days after receipt of the Coordinator's response. The Director ~~shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days of receiving the written appeal.~~

Step 3

Appeal to the Board of Managers: If the complainant remains unsatisfied, s/he may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Director's response in Step 2. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.

The complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

[NOTE: END OF OPTION #1]

Option #2 [Director as CRC]**Step 2**

~~Appeal to the Board of Managers: If the complaint is not satisfied with the Civil Rights Coordinator's Step 1 decision, s/he may submit, in writing, a signed statement of appeal to the Board within five (5) business days of his/her receipt of the Director's response. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting.~~

~~The complainant may be represented at his/her own cost, at any of the above-described meetings/hearings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.~~

[NOTE: END OF OPTION #2]

The Civil Rights Coordinator will provide a copy of the Cooperative's complaint procedure to any person who files a complaint and will investigate all complaints in accordance with this procedure.

A copy of each of the Acts and the regulations on which this notice is based, may be found in the Civil Rights Coordinator's office.

PROHIBITION AGAINST RETALIATION

The Board will not discriminate against, coerce, intimidate, threaten, or interfere with any individual because the person opposed any act or practice made unlawful by any Federal civil rights law, or because that individual made a charge, testified, assisted, or participate in any manner in an investigation, proceeding, or hearing under those laws or because that individual exercised, enjoyed, aided, or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

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REPLACEMENT GUIDELINE - VOL. 25, NO. 1PERSONAL COMMUNICATION DEVICES

Possession and/or use of a personal communication device (PCD) by a student while at school **(X)** during the school day is a privilege that may be forfeited by any student who fails to abide by the terms of Policy 5136 or this guideline, or otherwise engages in abuse of this privilege. Strict adherence to Policy 5136 and this guideline is required.

"Personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g. mobile/cellular telephones, smartphones [e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.], ~~(-) telephone-paging devices [e.g., beepers or pagers]~~, **(X)** and/or other web-enabled devices of any type.

Unless approved by a supervising teacher, an administrator or an IEP team, students are prohibited from using PCDs or having them "On" (i.e., the device must be powered completely off and not just placed into vibrate or silent mode; a device will be considered "On" if it is ready to receive, send, capture or record any communication, visual image, sound, text message or other information) ~~(-) during the school day~~ a.m. to p.m. **(X)** during the regularly scheduled school day (i.e. from the moment the individual student arrives on school grounds during a day that students are in attendance for instructional purposes, until the last class of the day has ended for all students). This includes ~~(-) lunch periods~~ **(X)** passing periods, as well as on school-sponsored trips and ~~(-) "behind the wheel" driver education classes or in school vehicles.~~ **(X)** Students may use PCDs before and after school, ~~(-) during their lunch break~~ and **(X)** in between classes, as long as they do not create a distraction, disruption or otherwise interfere with the educational environment. "Using" refers to, not only the making and/or receiving of calls, but also using the PCD for any other purpose (e.g., sending e-mails, text messages or instant messages, taking pictures, making recordings/videos, etc.). Students also may not use PCDs on school property or at a school-sponsored activity to access and/or view Internet Web sites that are otherwise blocked to students at school. **[IF "SCHOOL BUSES OR OTHER BOARD-PROVIDED VEHICLES" WAS NOT SELECTED IN OPTION A OR OPTION C OF POLICY 5136, INCLUDE THE FOLLOWING:]** **(X)** Students may use PCDs while riding to and from school on a school bus or other Board-provided vehicle **(X)** or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, **(X)** classroom teacher, ~~(-) sponsor/advisor/coach~~. Distracting behavior that creates an unsafe environment will not be tolerated. **[THIS LANGUAGE MAY ALSO BE USED IF OPTION B OR OPTION D IN POLICY 5136 WAS SELECTED.]**

~~(-) Students are not permitted to wear their PCDs clipped to a belt or otherwise display them in plain sight during the school day. () Students may, however, carry PCDs in a backpack, purse, or inside a pocket of slacks, jeans, jacket, etc. provided they are powered completely "Off". () PCDs must be stored out of sight during the school day.~~

PCDs, including but not limited to devices with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to (X) classrooms, ~~(-) gymnasiums~~, locker rooms, shower facilities, rest/bathrooms, ~~(-) swimming pool~~, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes, whether here or at another school cooperative where a school activity or athletic event is occurring. (X) The building principal has authority to make determinations as to other specific locations and situations where use of a PCD is absolutely prohibited.

A student may keep his/her PCD "On" under the following circumstances with prior approval of the building principal:

- (X) The student is a member of a volunteer fire company/department, ambulance, or rescue squad.
- (X) The student has a special health/medical circumstance (e.g. an ill family member, or his/her own special health/medical condition).
- (X) The student is using the PCD **[NOTE: you can delineate certain eligible PCDs for this section – e.g. laptops, tablets, etc.]** for an educational or instructional purpose (e.g. taking notes, recording a class lecture, writing papers) with the teacher's permission and supervision. ~~(-) However, the use of a PCD to engage in non-education related communications is expressly prohibited.~~
- (X) The student is involved in an extra-curricular activity after school hours and needs to communicate with his/her parent/guardian when the activity is ending so the student can be picked up.

() _____

Students participating in extra-curricular activities and athletics must contact their coach, advisor, or sponsor for his/her rules involving the use of PCDs after school hours or on after-school bus trips. Coaches and sponsors will set their rules and enforce consequences involving the use and/or misuse of these devices.

The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, PCDs brought onto its property. Students and parents are strongly encouraged to take appropriate precautions, if students possess PCDs at school, to make sure the devices are not left unattended or unsecured.

Using a PCD in an unauthorized manner or in violation of Policy 5136 or this guideline may result in loss of this privilege, additional disciplinary action (e.g., warnings, parental notification and conferences, suspension, expulsion), confiscation of the PCD (in which case, the device will only be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the PCD may be turned-over to law enforcement), and/or referral to law enforcement if the violation involves an illegal activity (e.g., child pornography).

If a school teacher or administrator observes a violation of this guideline, s/he is required to confiscate the device and bring it to the building principal's office and provide the name of the student from whom the PCD was taken. Any confiscated device will be held in a secure location in the building's central office until the item is retrieved by the student's parent/guardian or turned-over to law enforcement. Students whose PCDs are confiscated may be required to contact their parents/guardians to inform them that the item was confiscated and that it will only be returned to the parents/guardians.

REVISED GUIDELINE – VOL. 25, NO. 1PROHIBITION OF CORPORAL PUNISHMENT AND
ALTERNATIVES TO CORPORAL PUNISHMENT

[NOTE: This guideline is to be used when Board Policy 5630 prohibits corporal punishment. It distinguishes the use of force from corporal punishment. Corporal punishment is planned and executed and does not respond to threats.]

Board of Managers policy defines corporal punishment as the deliberate infliction of physical pain by hitting, paddling, spanking, clapping, or any other physical force used as means of discipline. Cooperative personnel shall not threaten to inflict, or cause to be inflicted corporal punishment on any student. Board Policy 5630 prohibits corporal punishment of students by Board employees. That policy defines corporal punishment as the intentional infliction of mild temporary physical discomfort on a student for the purpose of addressing misconduct.

Board employees shall not use corporal punishment in the performance of their duties with students, but this does not prohibit a Board employee from using physical force to protect himself or another person, or to prevent substantial damage to property.

Staff members shall not:

- ~~(X-X)~~ intentionally hit, strike, grab, punch, or inflict other bodily pain on a student by any method;
- (X) restrict a student's movement by binding or tying him/her, unless specified in an I.E.P.;
- (X) deprive a student of meals, snack, rest, or necessary toilet use;
- (X) confine a student in an enclosed area such as a closet, locked room, box, or similar cubicle, but a Board employee may assign a student to a "time-out" area as a disciplinary penalty;
- (X) ~~cause any of the above to occur~~ permit any of the above to occur in their presence without ending or promptly reporting the act to an administrator.

~~Staff may, however, provide for a "time-out" area as a disciplinary procedure. (See also AG 5630B.)~~

The following alternatives to the use of corporal punishment are ~~recommended. As formerly with corporal punishment, this partial list of alternatives should also be viewed as last resort options when well-executed school and classroom management practices have not been effective~~available to the Board's employees when other student management practices have not been effective. The principal has the authority to:

- (X) ~~deny participation in special school and/or noncurricular related activities~~deny a student participation in extra-curricular and noncurricular activities;
- (X) ~~assign to alternative center or program~~assign a student to an alternative program or remedial activity;
- (X) ~~assign before or after school detention with twenty-four (24) hour notice to parents~~require a student to attend detention before or after school provided that there is no less than twenty-four (24) hours advance notice to the student's parent/guardian;
- (X) ~~assign in-school restriction or Saturday school~~assign the student to an in-school suspension or before, after, or Saturday school program;
- (X) ~~assign out-of-school suspension~~impose an out-of-school suspension in compliance with the procedure implemented by the Board pursuant to I.C. 20-33-8;
- (X) ~~confer with parents on sanctions which will be established both at school and at home or contractual agreements whereby the student commits to self-controlling behavior~~confer with a student's parent/guardian on sanctions which will be implemented in a correlated way at school and at home;
- (X) ~~refer the student to a Cooperative counselor, a social worker, psychologist, and/or clinical specialists~~refer the student to a counselor, social worker, psychologist, psychiatrist, or clinical specialist;

(X) ~~coordinate Cooperative services with social service agencies such as Public Health, Social Services, Mental Health, etc., and/or with private institutions or agencies offering related appropriate services, providing there is no cost to the Cooperative~~coordinate services to the student from community resources such as public health, social services, and mental health agencies;

(X) ~~arrange for a proper evaluation under IDEA, if there is reason to believe the student's behavior is related to a disability. If the student does not qualify under IDEA, then Section 504 may be appropriate~~arrange for an evaluation or re-evaluation of the student pursuant to IDEA, if there is reason to believe the student's behavior is related to a disability. If the student does not qualify for services under IDEA, an evaluation or re-evaluation of the student pursuant to Section 504 may be appropriate.

~~It is essential that any of the above alternatives that involve disciplinary actions be conducted in accordance with due process~~Any of the alternatives listed above that result in denial of student attendance must be implemented in compliance with the due process procedure for denial of student attendance in school (See Policy 5611).
(See Policy 5611)

Central Nine Career Center Faculty Meetings

To The Nines Restaurant
Thursday, November 14, 2013
2:30pm - 3:00pm

1 Ground Rules/Agreements

Mrs. Nicole Otte, Curriculum Director, Central Nine Career Center

(3 minutes)

 [Ground Rules.pdf](#)

2 Truancy Forms/Student Returns

Mr. Lawrence Courtney, Principal

3 Observations/Artifacts

Tom Jacobs

4 ASVAB Update

Karin Graves

 [ASVAB makeup2013.xlsx](#)

 [C9 Career Intentions 2013.ppt](#)

5 C9 Recruits

Mrs. Nicole Otte, Curriculum Director, Central Nine Career Center

[Google Doc](#)

6 Funding & Credits

Mrs. Nicole Otte, Curriculum Director, Central Nine Career Center

Work session to come up with a solution to: Maximum of 6 credits per year in CTE Courses, while we offer 8 credits per year.

 [2013-14CourseTitlesDescriptionsHS.pdf](#)

 [2013-14C9CourseCodesCredits.xlsx](#)

 [2013-cte-funding-chart.pdf](#)

 [ProgramWebOutline.pdf](#)

7 Housekeeping

- Renae Fife - (Drop Dates Ivy Tech, Final Exam Dates)
- Final Exams @ C9
- Literacy Enrichment
- LGI Room Usage
- Brochures

NEW GUIDELINE – VOL. 25, NO. 1

CORPORAL PUNISHMENT

[NOTE: This guideline is used when corporal punishment is permitted by Policy 5630.]

Board Policy 5630 permits corporal punishment of students which it defines as the intentional infliction of mild temporary physical discomfort on a student for the purpose of addressing misconduct. Corporal punishment shall only be administered by an administrator.

A staff member may request that a student receive corporal punishment from an administrator, and the administrator receiving the request shall independently evaluate the facts provided by the staff member making the request. The principal of the school the student attends or an administrator designated by the principal of the school the student attends may administer corporal punishment under the following conditions:

- () Only paddling on the student's buttocks using a wood paddle that has been examined and approved by the Director shall be used in administering corporal punishment and the number of blows shall be limited to no more than five.
- () Corporal punishment shall be administered by an administrator of the same gender as the student and staff witness.
- () At least one other staff member of the same gender as the student and the administrator administering the corporal punishment shall be present when corporal punishment is administered.
- () Other students shall not be present and corporal punishment shall not be administered in a place where privacy cannot be assured.
- () Corporal punishment shall not be administered spontaneously or in anger.
- () Corporal punishment shall be administered and witnessed by administrators of the same gender as the student being punished.

- () The administrator administering corporal punishment shall review the student's cumulative record to determine if the student has any physical or mental conditions that make corporal punishment inadvisable.
- () The administrator contacts the student's parent/guardian to advise them that their student is about to receive corporal punishment and to inquire as to whether the student has any physical or mental condition that that make corporal punishment inadvisable.
- () A video and audio record of the paddling shall be recorded and shall be preserved as a confidential student record.
- () If the student is a special education student, before administering corporal punishment, an administrator preparing to administer corporal punishment shall consult the teacher of record and shall examine the student's current IEP or Behavior Improvement Plan ("BIP") to determine if physical punishment is addressed in either document, and any corporal punishment administered shall be administered in compliance with those documents.

The objection of a student's parent/guardian to a student receiving corporal punishment

- () shall be honored, and an alternative penalty proportionate to the offense shall be implemented.
- () shall not be honored unless the parent/guardian provides a reason specific to that student why the student should not be subjected to corporal punishment. An example of such a reason would be the existence of a physical or psychiatric condition.