

## **TITLE IX AND 504 GRIEVANCE POLICY**

Students, parents, and applicants for admission have the right to file a formal complaint alleging noncompliance with regulations outlined in Title IX of the Education Amendments of 1972 and Section 504 34 C.F.R. § 104.7(b as follows:

### **Level 1: Principal or Immediate Supervisor**

A student or parent with a discrimination 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: Title IX and Section 504 Coordinator**

If the grievance is not resolved at Level 1 and the grievant wishes to pursue the grievance, it may be formalized by filing a complaint in writing on a Compliance Violation Form. This form may be obtained from the Title IX and Section 504 Coordinator.

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 fifteen (15) working days 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 and Section 504 Coordinator. A minor student may be accompanied at that meeting by a parent or guardian. The Title IX and Section 504 Coordinator shall investigate the complaint and attempt to solve it. A written report from the Compliance Officer to the complainant regarding action taken will be sent within fifteen (15) working days after receipt of the complaint.

### **Level 3: Head of School**

If the complaint is not resolved at Level 2, the grievant may proceed to Level 3 by presenting a written appeal to the Head of School within ten (10) working days after the grievant receives the report from the Title IX and Section 504 Coordinator. The grievant may request a meeting with the Head of School or his/her designee. The Head of School or his/her designee has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Head of School or his/her designee within ten (10) working days after receiving the written appeal.

### **Level 4: Governing Board**

If the complaint is not resolved at Level 3, the grievant may proceed to Level 4 by presenting a written appeal to the Chair of the BIA Governing Board within ten (10) working days after the grievant receives the report from the Head of School. The grievant may request a meeting with the Board.

The Board has the option of meeting with the grievant to discuss the appeal. A decision will be rendered by the Board at their next regularly scheduled meeting. The grievant will be notified in writing of the decision within ten (10) working days after the Board's action. The procedure in no way denies the right of the grievant to file a formal complaint with the Office for Civil Rights, or other agencies available for mediation or rectification of rights grievances, or to seek private counsel for complaints alleging discrimination

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## **Appendix A: Complaint Procedures**

### **Grounds for a Complaint:**

Any individual, organization or agency may file a complaint with the Brookhaven Innovation Academy if that individual, organization or agency believes and alleges that the BIA is violating a Federal Statute or regulation that applies to a program under the Elementary and Secondary Education Act of 1965 (ESEA). The complaint must allege a violation that occurred not more than one (1) year prior to the date that the complaint is received, unless a longer period is reasonable because the violation is considered ongoing.

### **Filing a Complaint:**

Complaints and grievances shall be handled and resolved as close to their origin as possible and through the proper channels using the following procedures:

A complaint must be made in writing and signed by the complainant. The complaint must include the following:

- A statement that BIA has violated a requirement of a Federal statute or regulation that applied to an applicable program;
- The date on which the violation occurred
- The facts on which the statement is based and the specific requirement allegedly violated
- A list of the names and telephone numbers of individuals who can provide additional information;
- Whether a complaint has been filed with any other government agency, and if so, which agency
- Copies of all applicable documents supporting the complainant's position
- The address of the complainant

The complaint must be addressed to:

Jennifer Bradley  
Federal Programs Director  
Brookhaven Innovation Academy  
3159 Campus Drive  
Norcross, GA 30071

### **Investigation of the Complaint:**

1. Any complaints or grievances shall be forwarded to the Federal Programs Director. The Coordinator or his or her designee will issue a Letter of Acknowledgement to the complainant that contains the following information:
  - a. The date the complaint was received
  - b. How the complainant may provide additional information
  - c. A statement of the ways in which the Federal Programs Director may investigate or address the complaint
  - d. Any other pertinent information
2. The decision of the Federal Programs Director may be appealed to the Superintendent in writing.
3. The decision of the Superintendent may be appealed to the Brookhaven Innovation Academy in writing.
4. All decisions and appeals shall be submitted in writing.
5. Complaints will be tracked by the Federal Programs Director by maintaining documentation of written complaints and other supporting information.
6. Reports will be maintained with letters of complaint and the final resolutions.



**Complaint Form for Federal Programs under the Elementary and Secondary  
Education Act of 1965 (ESEA)**

**Please Print**

Name (Complainant): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number (home): \_\_\_\_\_

Phone Number (work): \_\_\_\_\_

Program complaint is being filed against: \_\_\_\_\_

Date on which violation occurred: \_\_\_\_\_

Statement that the Brookhaven Innovation Academy has violated a requirement of a Federal statute or regulation that applies to an applicable program (include citation to the Federal statute or regulation):

The facts on which the statement is based and the specific requirement allegedly violated: (Attach additional sheets if necessary.):

List the names and telephone numbers of individuals who can provide additional information:

Has a complaint been filed with any other government agency? If so, provide the name of the agency.

Please attach/enclose copies of all applicable documents supporting your position.

**Signature of Complainant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Mail this form to:  
Jennifer Bradley  
Federal Programs Director  
Brookhaven Innovation Academy  
186 Hunter Street  
Norcross, GA 30071

