

Document ID CR070117	Title Desert Heights Charter Schools Civil Rights Policy	Print Date July 10, 2017
Revision 1	Prepared By Cynthia Jordan and Beth Gue	Date Prepared July 5, 2017
Effective Date August 2, 2017	Reviewed by Beth Gue	Date Reviewed 07/10/2017
	Approved By Desert Heights Charter Schools Governing Board	Date Approved 07/11/2017

Purpose

Desert Heights Charter Schools are committed to ensuring equal access to education and to promoting educational excellence throughout the district. The purpose of the Civil Rights Policy is to ensure district compliance with state and federal laws, regulations, and guidelines that prohibit discrimination on the basis on race, national origin, color, sex, age, disability, or religion.

Additional Authority

[Title VI](#)

[Title IX](#)

[Age Discrimination Act](#)

[Section 504](#)

[Americans With Disabilities Act](#)

[Office of Civil Rights](#)

Scope

The Civil Rights Policy applies to all students within the Desert Heights Charter Schools district.

Responsible Party

The Civil Rights Compliance Coordinator

Mark Jiles

602-896-2900

Mark.jiles@dhschools.org

I. Policy Statement

The Civil Rights Policy is intended to serve all students at Desert Heights Charter Schools. This policy is intended for the purposes of reporting civil rights violations including retaliation against another for reporting a violation. This policy is not intended for the reporting of disciplinary infractions.

Students, employees, and parents may present a complaint or grievance regarding a violation of their constitutional rights, equal access to programs, discrimination, harassment, or personal safety provided that:

- A. The topic is not the subject of disciplinary or other proceedings under other policies and regulations of this school,
- B. The procedure shall not apply to any matter for which the method of review is prescribed by law, or the Governing Board is without authority to act.

A complaint/grievance may be raised regarding one or more of the following:

- Violation of the individual's constitutional rights;
- Denial of an equal opportunity to participate in any program or activity for which the individual qualifies
- Discriminatory treatment on the basis of race, color, religion, sex, sexual orientation, age, national origin, or disability
- Harassment of the individual by another person
- Concern for the individual's personal safety due to retaliation

The accusation must be made within 180 calendar days of the time the individual knew or should have known that there were grounds for the complaint/grievance. The complaint/grievance shall be made only to the Civil Rights Coordinator as identified in the Governing Board's policy against Harassment and Bullying Policy. If the Civil Rights Coordinator is included in the complaint grievance, the complaint/grievance shall be transmitted directly to the Governing Board, which will appoint a Board member to act as a second Alternative Grievance Coordinator.

II. Procedure

The particulars of the complaint/grievance must be submitted in writing to the school and should be addressed to the Civil Rights Coordinator in order for the complaint/grievance to be reviewed. The individual should sign and date the complaint/grievance; however, unsigned complaints/grievances are to be processed in the same manner as signed complaint/grievance. All individuals handling the complaint/grievance shall preserve the confidentiality of the subject, disclosing it only to the appropriate school personnel or as otherwise required by law. However, we strongly encourage complainants to also sign and submit an [Identity Release Statement](#). This allows OCR to release a complainant's name to the agency that is the subject of the complaint. Although submitting the IRS is not required, its absence often constrains OCR's investigation so much that it must close the complaint.

The Civil Rights Coordinator shall determine any question concerning whether the complaint/grievance falls within this policy. A complaint/grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident. Retaliatory or intimidating acts against any individual who has made a complaint under this policy and its corresponding regulations, or against an individual who has testified, assisted or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for a separate complaint. Disposition of all complaints/grievances shall be reported to the Grievance Coordinator as the compliance officer for discrimination. The Civil Rights Coordinator will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Governing Board as may be necessary.

III. Definitions

1. **Civil Rights Coordinator**

Is an individual who is appointed by the LEA to coordinate compliance with civil rights laws, including investigations of complaints alleging discrimination on a particular basis.

2. **Discrimination**

The unjust or prejudicial treatment of different categories of people or things, especially on the grounds of race, national origin, color, sex, age, disability, or religion

3. **Age**

Young person under the age of 21

4. **Religion**

A particular system of faith and worship

5. **Harassment Or Bullying On The Basis Of Disability**

Refers to intimidation or abusive behavior toward a student based on actual or perceived disability. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Bullying on the basis of disability constitutes disability harassment.

6. **Harassment Or Bullying On The Basis Of Race, Color, National Origin or Religion**

Refers to intimidation or abusive behavior toward a student based on actual or perceived race, color, or national origin. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. The conduct can be

carried out by school employees, other students, and non-employee third parties. Bullying on the basis of race, color, or national origin constitutes racial harassment.

7. **Harassment Or Bullying On The Basis Of Sex**

Includes sexual harassment or bullying and gender-based harassment or bullying. Sexual harassment or bullying is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Gender-based harassment or bullying is nonsexual intimidation or abusive behavior toward a student based on the student's actual or perceived sex, including harassment based on gender identity, gender expression, and nonconformity with gender stereotypes. Harassing conduct may take many forms, including verbal acts and name-calling, as well as non-verbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful or humiliating. The conduct can be carried out by school employees, other students, and non-employee third parties. Both male and female students can be victims of harassment or bullying on the basis of sex, and the harasser or bully and the victim can be of the same sex. Bullying on the basis of sex constitutes sexual harassment.

8. **School**

Is an institution that provides educational services

IV. Related Policies, Procedures, Guidelines

1. [Student Handbook](#)
2. Harassment and Bullying Policy
PROVIDE LINK
3. [Charter School Students](#)

V. Forms

Discrimination Complaint Form

[Provide Link](#)