

STUDENTS

Complaint Procedures for Student Claims of Discrimination or Harassment

The Prince William County Public Schools (PWCS) does not discriminate against its students in the provision of educational services or activities on the basis of race, color, national origin, sex, pregnancy, religion, age, or disability. It is the intent of the School Division to resolve all complaints of discrimination and harassment quickly, fairly, and at the most immediate administrative level, with a minimum of conflict and disruption to the operation of the schools.

The Prince William County School Board has adopted an internal complaint procedure providing for the prompt and equitable resolution of complaints alleging any action prohibited by federal and state anti-discrimination laws and their implementing regulations.

I. Discrimination and Harassment Defined

- A. Discrimination occurs when a person is not given fair consideration, is not given the same opportunity as others similarly situated, or is subjected to harassment on the basis of race, color, national origin, sex, pregnancy, religion, disability or age. These complaint procedures apply to harassment of students carried out by employees, students, or third parties.
- B. Harassment is a course of conduct which annoys, threatens, intimidates, alarms, or puts a person in fear of his/her safety. Harassment is unwanted, unwelcomed, and uninvited behavior that demeans, threatens, or offends the victim and results in a hostile environment for the victim and bystanders. Harassing behavior may include, but is not limited to epithets, derogatory comments, or slurs and lewd propositions, assaults, impeding or blocking movement, offensive touching, or any physical interference with normal school activity, work, or movement and visual insults such as derogatory posters or cartoons. Complaints of sexual harassment will be investigated under this regulation consistent with Policy 738, "Non-Discrimination and Harassment of Students," and Regulation 738-3, "Sexual Harassment of Students."
 - 1. Sexual Harassment includes any unwelcome sexual advances, regardless of sexual orientation, request for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive environment.

2. Discriminatory Harassment is harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law (or based on the belief that such characteristic exists) which is prohibited by federal or state law.

Conduct that may rise to the level of harassment, intimidation, and bullying may take many forms: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group, whether electronic, written, oral, or physical transmitted messages or images. There is no requirement that the targeted individual actually possess any characteristic that is the basis for harassment, ridicule, intimidation, or bullying.

II. Complaint Procedure

- A. In order to stop any discrimination/harassment immediately, the student should discuss the complaint with the principal or his/her designee, as soon as he/she becomes aware of the alleged discrimination or harassing conduct. The student may formalize his/her complaint by completing Attachment II to this regulation, which will be directed to the Office of Student Services as the contact for official complaints to the Office of Civil Rights involving harassment between students. (If the alleged perpetrator is the principal, the student and/or his/her parent(s)/guardian(s) should have an immediate discussion with the appropriate Level Associate Superintendent.)
- B. It is the responsibility of the principal to advise the appropriate level associate superintendent of the complaint as soon as practicable. Upon consultation with the level associate superintendent, the principal shall investigate the complaint. If the complaint is directed against an employee of PWCS, the Level Associate Superintendent shall immediately notify the Associate Superintendent for Human Resources and the Director of Risk Management and Security Services, and the complaint shall thereafter be investigated under the procedures set forth in Regulation 507-1, "Complaint Procedures for Claims of Discrimination Involving Employees."
- C. An investigation will include interviews with witnesses and the review of any records or other documentary evidence. The student will be asked to provide names of persons who can verify significant aspects of the case. The person who

is the subject of the complaint will also be given the opportunity to respond and to provide witnesses. The case may be discussed with various administrators as necessary. Information from the investigation is kept confidential, except to the extent that limited disclosure may be necessary in order to conduct a full and fair investigation, allow the accused to respond, take disciplinary or other remedial action, or answer a governmental or court inquiry.

- D. If the principal is unable to resolve the complaint he/she shall consult with the appropriate level associate superintendent.
- E. If in the judgment of the Level Associate Superintendent, further investigation is appropriate the matter may be referred to the Office of Risk Management and Security Services. The person who is the subject of the complaint shall be informed of the charges against him/her and be given an opportunity to respond. If that person is a student, notice shall also be given to the student's parent(s)/guardian(s).
- F. A substantiated charge against a student who has engaged in discrimination or harassing conduct shall subject such student to disciplinary action in accordance with established disciplinary procedures. Such disciplinary action may range from admonition and counseling to suspension or expulsion, depending on the seriousness of the incident and the need to protect other students from future discrimination or harassing conduct. The principal shall forward to the level associate superintendent a recommendation for disciplinary action involving the student responsible for the discrimination/harassment and shall take measures to prevent any further discrimination/harassment of the victim.
- G. If there is disagreement with the resolution of the complaint, an appeal of the principal's decision may be submitted to the appropriate Level Associate Superintendent within five (5) school days of receipt of the determination of the principal, using the Complaint Form attached to this regulation as Attachment III. The Level Associate Superintendent shall conduct whatever further investigation he/she deems appropriate, consult with the Deputy Superintendent and shall provide the student with a written decision within ten (10) working days of receipt of the appeal or completion of any further investigation.
- H. If the complaint is not resolved to the student's satisfaction, the complaint may also be directed to the:

Office for Civil Rights
D.C. Enforcement Office
U.S. Department of Education
1100 Pennsylvania Ave., N.W., Room 316
P.O. Box 14620
Washington, D.C. 20044-4620

or

Prince William County Human Rights Commission
15941 Donald Curtis Drive, Suite 125
Woodbridge, VA 22191-4291

III. General Information

- A. Retaliation against the student for filing a discrimination complaint is strictly prohibited. Students shall be disciplined for retaliatory conduct separate and apart from the discipline imposed for the original discriminatory or harassing conduct.
- B. If a complaint is made against the Level Associate Superintendent or the Deputy Superintendent, then the Superintendent of Schools shall appoint an alternate to act in the administrator's place until a resolution of the complaint is reached. If a complaint is made against the Superintendent of Schools, the complaint shall be referred to the School Board's Division counsel for investigation.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for implementing and monitoring the regulation.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for reviewing this regulation in 2018.

Instructions for Students, or Parents/Guardians,
For Appealing a Complaint of Discrimination or Harassment
With the Prince William County Public Schools

It is the intent of the Prince William County Public Schools (PWCS) to comply with federal, state, and local laws regarding equal opportunity, and nondiscrimination in all educational programs and services. The School Division is committed to the elimination of bias, prejudice, and discrimination based on race, color, national origin, sex, pregnancy, religion, and disability involving students.

If you, or your parent(s)/guardian(s), believe that you have been discriminated against or harassed, you may report such concerns to your principal under the procedures set forth in Regulation 738-1, "Complaint Procedures for Student Claims of Discrimination or Harassment."

If your complaint is not resolved to your satisfaction by the principal, you, or your parent(s)/guardian(s) may file a formal appeal under the procedures set forth in Regulation 738-1, using Attachment III.

Retaliation against anyone lodging a complaint is strictly prohibited.

Complaint of Harassment or Discrimination

The Prince William County Public Schools "Code of Behavior" states, "Words, gestures, symbols, actions, or physical contact which offend, intimidate, threaten, or persecute others will not be tolerated." The principal and staff of this school are committed to enforcement of the "Code of Behavior" and will respond promptly and appropriately to complaints of harassment or discrimination. Any student can file a complaint by talking to an administrator and/or completing this form and returning it to an assistant principal or principal.

PLEASE PRINT

Name of Student completing this form: _____

School: _____

Name(s) of Person(s) accused of harassment or discrimination: _____

Description of Complaint (use specific dates, times, witness names, etc. if possible):

Signature of Student completing this form: _____

Date: _____

NOTE: All complaints will be followed by an investigation. Those accused as well as the parents of students involved will be informed of complaints, witnesses will be interviewed, and all information will remain confidential except for that which must be shared as part of the investigation.

Appeal Form for Complaints
of Discrimination or Harassment

Level Associate Superintendent
Prince William County Public Schools
P.O. Box 389
Manassas, Virginia 20108

PART I: COMPLAINANT

Name _____

Student's Race _____ Student's Sex _____ Grade Level _____

Address _____

Parent(s)/Guardian(s) Name _____

Parent(s)/Guardian(s) Address, if different from student's _____

Telephone _____
Parent's Work Home

School _____

Teacher or Administrator's Name _____

PART II: EQUITY AND DIVERSITY JURISDICTION

Check all that apply

Basis of Complaint:

- | | |
|--------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Race | <input type="checkbox"/> Disability |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital Status |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Other |
| <input type="checkbox"/> Sexual Harassment | |

(If more space is required for any of the following items, please add additional paper and attach to this form. Do not write on the back or in the margins.)

PART III: ALLEGED DISCRIMINATION OR HARASSMENT

1. List the name(s) of person(s) you are accusing of violating the School Division's non-discrimination policy.

Name	School or Location	Position
<hr/>	<hr/>	<hr/>

2. Describe what happened ó include date, time, and location for each incident whenever possible.

If additional space is needed, please add additional paper and attach to form.

3. What actions, comments, etc., led you to believe that the discrimination or harassment occurred because of the factors (i.e., race, sex, religion, national origin, etc.) you indicated in Part II of this form?

If additional space is needed, please add additional paper and attach to form.

4. List all witnesses or people who can verify your charges.

Name	School or Location	Position	Phone
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

If additional space is needed, please add additional pages and attach to this form.

_____	_____
Student's signature	Date
_____	_____
Parent's signature	Date

Mail or fax to:

Office of the Level Associate Superintendent
Prince William County Public Schools
P.O. Box 389
Manassas, Virginia 20108