

Nebo School District Civil Rights Disclosure

Official Notice of Non-Discrimination

EQUAL EDUCATIONAL AND EMPLOYMENT OPPORTUNITY

It is the policy of Nebo School District (District) not to discriminate on the basis of race, color, national origin, sex/gender, sexual orientation, gender identity, religion, disability, age, or any other legally protected classification in its educational programs, activities, admissions, access, treatment, or employment practices. The District provides equal access to the Boy Scouts and other designated youth groups. Retaliation against any person who in good faith has filed a complaint, or has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing, is prohibited.

The individuals designated to monitor and coordinate the District's compliance with Title IX, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and all other applicable state and federal antidiscrimination and civil rights laws, may be reached at the following address and telephone numbers:

ADA Employment

Workplace accommodations for employees with disabilities

Human Resource Director
350 South Main
Spanish Fork, UT 84660
(801) 354-7400
Mike Larsen

ADA Facility & Program Access

Physical barriers to buildings and educational programs, activities, and events

Risk Manager
350 South Main
Spanish Fork, UT 84660
(801) 354-7400
Kathy Carling

Civil Rights

- Titles IV, VI, and VII of the Civil Rights Act of 1964 (prohibiting discrimination on the basis of race, color, religion, sex, and national origin)
- Section 504 of the Rehabilitation Act of 1973 (prohibiting disability discrimination)
- Title IX of the Education Amendments of 1972 (prohibiting sex/gender discrimination)

Civil Rights & Section 504 Coordinator

350 South Main

Spanish Fork, UT 84660

(801) 354-7440

David Gneiting

ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

Nebo School District will provide reasonable accommodations to eligible and qualified individuals with disabilities.

- Accommodation requests related to physical barriers in facilities should be made to the District Risk Manager, Kathy Carling (801-354-7400).
- Accommodation requests related to employment should be made to the District HR Director, Ken VanAusdal (801-354-7400).
 - [Nebo School District Policy GBEG-Workplace Accommodations for Employees with Disabilities](#)
 - [Employee Request for ADA Accommodation Form](#)
- Accommodation requests related to educational programs and extracurricular activities (Section 504) should be made to a school's principal, assistant principal, or dean of students, but can also be made by contacting the District Civil Rights/Section 504 Coordinator, David Gneiting (801-354-7440).
 - [Nebo School District Policy JR - Section 504 of the Rehabilitation Act of 1973](#)
 - [Section 504 Forms](#)
- Accommodation requests related to the District website or a school website should be made to the District Webmaster, David Wadley (804-354-7450).
 - [Website Accommodation Request](#)

COMPLAINT PROCEDURES

Employees

- Employees that experience conduct that may have disadvantaged, stigmatized, or victimized them because of their race, color, religion, national origin, disability, sex/gender or any other classification protected by law, should file a complaint with their supervisor or principal and/or with the District Civil Rights Coordinator, according to the provisions outlined in section 7 of Nebo School District Policy GBEB - Employee Discrimination and Harassment.
 - [Nebo School District Policy GBEB - Employee Discrimination and Harassment](#)
 - [Complaint Form](#)

Students and/or Parents/Guardians

- Students that experience conduct that may have disadvantaged, stigmatized, or victimized them because of their race, color, religion, national origin, disability, sex/gender or any other classification protected by law, should file a complaint with a school administrator and/or with the District Civil Rights Coordinator, according to the provisions outlined in section 6 of District Policy JDC - Student Discrimination and Harassment.
 - [Nebo School District Policy JDC - Student Discrimination and Harassment](#)
 - [Complaint Form](#)

Employees and Students

- Employees and students that experience conduct that may constitute sexual harassment should file complaint of sexual harassment with their supervisor or principal and/or with the District's Civil Rights Coordinator, according to the provisions out lined in section 5 of Nebo School District Policy JDCB/GBEBB - Sexual Harassment.
 - [Nebo School District Policy JDCB/GBEBB - Sexual Harassment](#)
 - [Complaint Form](#)

Supervisor/Principal Issue

- If the complaint is against the principal or a supervisor, the complaint can be filed directly with the District' Civil Rights Coordinator.

CIVIL RIGHTS INVESTIGATION/APPEAL PROCEDURES

Investigation

When an employee in a supervisory position becomes aware of conduct that may disadvantage, stigmatize, or victimize individuals or groups of people because of their race, color, religion, national origin, disability, sex/gender, or any other classification protected by law, OR when an employee in a supervisory position receives a signed written complaint, he or she shall ensure that the Civil Rights Coordinator is aware of the potential violation. The investigative process will start promptly and in accordance with the investigation procedures outlined in section 8 of Nebo School District Policy GBEB, section 8 of Nebo School District Policy JDC, or section 8 of Nebo School District Policy JDCB/GBEBB, as applicable.

Appeal

Investigative procedures may be appealed by both complainants and respondents. The purpose of an appeal is to determine whether the investigative procedures outlined in the applicable policy were followed. An appeal may also be filed to introduce new evidence not available during the investigation or if a party believes there was a conflict of interest that directly affected the investigation and/or its conclusions. An appeal that does not introduce new evidence or allege a conflict of interest or violation of the investigative procedures will be

dismissed. Disagreement with the outcome of an investigation or with an investigator's interpretation or findings of the facts is not grounds for an appeal.

Students who have been found in violation of Nebo School District Policy JDC - Student Discrimination and Harassment, are entitled to the due process procedures as provided in Nebo School District Policy JD - Student Conduct and Discipline.

Employees who have been found in violation of Nebo School District Policy GBEB - Employee Discrimination and Harassment, are entitled to the due process procedures outlined in Nebo School District Policy GCPD – *Employee Discipline, Administrative Leave, and Orderly Termination* and the applicable management team, certified, or classified employee handbook.

Under Nebo School District Policy JDCB/GBEBB - Sexual Harassment, respondents and complainants may appeal by giving written notice to the Superintendent within fifteen (15) calendar days of the date of the written determination. Failure to submit written notice of appeal to the Superintendent within fifteen (15) calendar days constitutes forfeiture of any right to appeal. The Superintendent or his/her designee will hear the appeal and issue a written decision as to whether the investigative procedures were followed or whether new evidence would change the outcome of the investigation. The decision of the Superintendent or his/her designee is final.

SECTION 504 COMPLAINT PROCEDURE

The best solutions to parent/legal guardian concerns occur at the school level. Therefore, the first step in resolving a complaint should involve the school principal or 504 Team Leader working with the parent/legal guardian to a mutually acceptable resolution of the parent's concern(s). If the concern(s) cannot be resolved informally, the parent/legal guardian may seek formal resolution under the District's complaint processes:

1. The parent/legal guardian should complete and submit a [Section 504 Complaint](#) to the District 504 Coordinator.
2. The District 504 Coordinator or designee will review the complaint and meet with the parent/legal guardian to hear their concerns. The District 504 Coordinator or designee will decide whether to seek to mediate the dispute between the parent/legal guardian and school or render a decision regarding the complaint and submit it in writing to the parent/legal guardian. If the mediation was unsuccessful or if the parent/legal guardian is not satisfied with the decision rendered by the District 504 Coordinator or designee, the parent/legal guardian may either: (a) give written notice to the District 504 Coordinator requesting a meeting with the Superintendent (Step 3); or (b) give written notice to the Superintendent requesting an impartial hearing (Step 4).
3. The Superintendent or designee will review the complaint and meet with the parent/legal guardian to hear their concerns. The Superintendent or designee will render a decision regarding the complaint and submit it in writing to the parent/legal guardian. If the parent/legal guardian is not satisfied with the decision rendered by the Superintendent or designee, the parent/legal guardian may give written notice to the Superintendent requesting an impartial hearing (Step 4).
4. Upon receiving a written request for an impartial due process hearing, the Superintendent or designee will promptly refer the complaint to a due process hearing conducted by an impartial

hearing officer. The hearing officer will be selected by the District. The hearing officer shall meet the following criteria: (a) must be knowledgeable about Section 504; (b) must not be an employee of the District; (c) must not be from another school district that shares a contractual arrangement for special education services; (d) must not have a personal or professional conflict of interest; and (e) must not participate in the formulation of state policy affecting students with disabilities. The District-appointed hearing officer will schedule a due process hearing to occur as soon as reasonably practicable for the parent/legal guardian and District. The parent/legal guardian and District may be represented by legal counsel at the hearing, may examine relevant records, and participate in the hearing. Within ten (10) business days after the conclusion of the hearing, the hearing officer will render a written decision.

5. If either the parent/legal guardian or the District is not satisfied with the decision rendered by the hearing officer in Step 4, the parent/legal guardian or District may initiate federal legal proceedings in the United States District Court, District of Utah, or other court of competent jurisdiction.

At any time before, during, or after the complaint process, a complaint may be filed with the Utah State Board of Education (USBE) or the Denver Office for Civil Rights (OCR).

- **USBE**
250 East 500 South
SLC, UT 84111-3204
Phone No. 801-538-7828
Website: [Educational Equity](#)
- **OCR**
Denver Office for Civil Rights
Cesar E, Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582
Phone No. (303) 844-5695 or TTY: (303) 844-3417
Website: [Complaint Process](#)
Email: [OCR Denver](#)

RECOGNIZING CONSTITUTIONAL FREEDOMS IN THE SCHOOLS

Nebo School District recognizes the importance of religious belief and practice and other expressions of conscience in the lives of many people, the critical role that such beliefs have played in the development of societies and cultures throughout the world, and the influence that these beliefs continue to have on concepts and interpretations relating to school curricula.

The Constitution of Utah prohibits the use of the powers of government to encourage or discourage religious beliefs or practices, or to repress rights of conscience. Given their unique relationship to children attending the public schools, school officials must be particularly careful to remain neutral in matters relating to religion, while striving to accommodate the religious beliefs and practices and the freedom of conscience of students and their parents.

CAREER AND TECHNICAL EDUCATION (CTE)

Nebo School District offers Career and Technical Education (CTE) programs. Admission to these programs is open to all students. See [Program Offerings](#)

CTE Annual Notice of Nondiscrimination

It is the policy of the Nebo School District not to discriminate on the basis of race, color, national origin, sex/gender, sexual orientation, gender identity, religion, disability, age, or any other legally protected classification in its educational programs, activities, admissions, access, treatment, or employment practices. Nebo School District will take steps to assure that the lack of English language skills will not be a barrier to admission and participation in its CTE programs.

ADDITIONAL INFORMATION

For more information regarding nondiscrimination policies and procedures, please contact:
Civil Rights & Section 504 Coordinator
350 South Main
Spanish Fork, UT 84660
(801) 354-7440
David Gneiting