

P6-04-004 Complaints and Grievances

I. Student Complaints/Appeals of Administrative Decisions

In the event a student or group of students wishes to appeal a decision made by the administration of the school, the item in question should first be discussed with the principal. If this does not lead to a solution, the aggrieved student(s) may state the complaint in writing to the appropriate director, a copy of which must be sent concurrently to the principal. If necessary, a final appeal may be made to the Superintendent or the Superintendent's designee.

II. Complaints of Harassment or Discrimination Based on Characteristics Protected by Law

The School Board of Henrico County is committed to maintaining an educational environment and workplace that is free from discrimination and harassment. In accordance with law, the Board prohibits discrimination or harassment against students, employees, or others on the basis of sex, sexual orientation, gender, gender identity, race, color, national origin, religion, ancestry, age, pregnancy, childbirth or related medical conditions, ~~status as a veteran~~ **military status**, disability, genetic information, any other characteristic protected by law, or based on a belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity or program.

It is the policy of the Henrico County School Board to maintain a working and learning environment which provides for fair and equitable treatment, including freedom from sexual harassment, discrimination and harassment based on a student's protected group status. Further, it is a violation of this policy for any school personnel to tolerate harassment based on the student's protected group status at school or any school-sponsored activity, by students, school personnel or third parties participating in, observing or otherwise engaged in school-sponsored activities.

For the purpose of this policy, school personnel include School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the school division.

The school division:

- promptly investigates all complaints, written or verbal, of discrimination or harassment based on protected group status at school or any school sponsored activity;
- promptly takes appropriate action to stop any discrimination or harassment;
- takes appropriate action against any student or school personnel who violates this policy; and
- takes any other action reasonably calculated to end and prevent further discrimination or harassment of school personnel or students.

The Compliance/Title IX Officer is the person designated by the School Board to receive complaints of discrimination or harassment and oversee investigation of those complaints as described. The Procedures for filing a general complaint of discrimination or harassment based on a protected group status are contained in Regulation **6-04-004**, "Procedure for Filing Complaints and Grievances of Harassment or Discrimination Based on Characteristics Protected by Law." The procedures for filing a

Grievance for "Sexual discrimination or harassment specifically prohibited by Title IX" are contained in Policy [6-05-012](#), "Sexual Harassment/Inappropriate Sexual Behavior."

"Sexual discrimination or harassment prohibited by Title IX" means conduct on the basis of sex that satisfies one or more of the following:

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual's participation in unwelcome sexual conduct;
- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board's education program or activity; or
- "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(10), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Inappropriate sexual behavior that is not specifically prohibited by Title IX that meets the definition of "Sexual Harassment or Discrimination Based on Sex" in Regulation [6-04-004](#), "Procedure for Filing Complaints and Grievances of Harassment or Discrimination Based on Characteristics Protected by Law," is also prohibited in Henrico County Public Schools.

In addition, behavior that is not unlawful may nevertheless be unacceptable for the educational environment. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

Last Revised: **August 2020**, January 2019

HCPS Refs.: [P6-05-012](#), "Sexual Harassment/Inappropriate Sexual Behavior"

[P6-04-007](#), "Nondiscrimination"

[R6-04-004](#), "Procedure for Filing Complaints and Grievances of Harassment or Discrimination Based on Characteristics Protected by Law"

Legal Ref.: Title IX of the Education Amendments Act of 1972 (2019)