

DEARBORN PUBLIC SCHOOLS
Special Education Department

MEMO

To: All District Staff

From: Mike Esseily, Director of Special Education

Date: April 9, 2019

Re: Section 504 and Title II

This memo is intended to summarize pertinent Dearborn Public Schools' policies for staff and students that require an educational and work environment that is free from all forms of unlawful harassment and discrimination. Section 504 and Title II of the ADA prohibit retaliation against individuals who take action to assert the rights of parents, students, and others to be free from discrimination based on race, color, national origin, sex, disability, or age. Unlawful retaliation is prohibited by school policy. The Board shall vigorously enforce its prohibition of unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct.

Bylaw 3122 of Dearborn Public Schools Policy specifically states that "Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws."

This policy applies to all school operations, programs, and activities. Accordingly, all students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful retaliation.

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a formal complaint, either orally or in writing, with a Principal, the CO, Superintendent, or other District-level employee. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a Principal, Superintendent, or other District-level employee, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) business days.



A copy of Board Policy 3122 is attached to this memo for convenient reference.