Book	Policy Manual
Section	POLICIES FOR THE BOARD, NOVEMBER 2022
Title	Copy of New Policy - Vol. 35, No. 1, Sept. 2022 - GRIEVANCE PROCEDURE FOR VIOLATION OF STATE LAW LIMITING PARTICIPATION OF TRANSGENDER GIRLS IN ATHLETICS
Code	po2432
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New Policy - Vol. 35, No. 1

2432 - **GRIEVANCE PROCEDURE FOR VIOLATION OF STATE LAW LIMITING PARTICIPATION OF TRANSGENDER GIRLS IN ATHLETICS**

The School Board provides the following grievance procedure to address grievances for violation of the State law limiting the participation of transgender girls in athletics, as required by I.C. 20-33-13. Any School Corporation student or the parent of a student in the Corporation may file a grievance under this policy for an alleged violation of I.C. 20-33-13.

Application of this Grievance Procedure

This Grievance Procedure applies to the following:

A. an athletic team or sport that is organized, sanctioned, or sponsored by the Corporation in which the students participating on the athletic team or in the sport compete against students participating on an athletic team or in a sport that is organized, sanctioned, or sponsored by another school corporation, public school, or nonpublic school;

B. an athletic team or sport that is organized, sanctioned, or sponsored by a nonpublic school that voluntarily competes against an athletic team or sport that is organized, sanctioned, or sponsored by the Corporation; and

C. an athletic team or sport approved or sanctioned by an association for purposes of participation in a high school interscholastic athletic event.

Definitions

"Association" means an organization that conducts, organizes, sanctions, or sponsors interscholastic high school athletic events as the organization's primary purpose.

"Public school" means the following:

A. A school maintained by a school corporation.

B. A charter school.

Designation of Athletic Teams and Sports

The Corporation shall designate each athletic team or sport that it organizes, sanctions, or sponsors as one of the following:

A. a male, men's, or boys' team or sport;

B. a female, women's, or girls' team or sport; or

C. a coeducational or mixed team or sport.

Limitation on Participation of Transgender Girls on Athletic Teams or Sports

Pursuant to State law, a male student, based on the student's biological sex at birth in accordance with the student's genetics and reproductive biology, may not participate on an athletic team or sport designated under this section as being a female, women's, or

girls' athletic team or sport.

Grievance Procedure:

A Corporation student or the parent of a Corporation student may submit a grievance to the school for a violation of I.C. 20-33-13 and this policy as follows: ~~[SELECT ONE (1) OF THE FOLLOWING TWO (2) OPTIONS]:~~

~~[ ] [OPTION 1]~~
~~GRIEVANCE LEVELS~~
~~Step 1 – Team-Level Grievance:~~
~~A student or parent wishing to file a grievance may submit a grievance, in writing, to the Coach or advisor/sponsor of the athletic team or sport about which the grievance is being submitted. The Coach or advisor/sponsor will investigate the grievance and make a written finding as to whether or not the State law and school policy have been violated. It is anticipated that this investigation will conclude within ( ) fifteen (15) ( ) _____ (__) [ENTER AMOUNT OF DAYS] [END OF OPTION] instructional days. If the Coach or advisor/sponsor finds that a violation occurred, the Coach or advisor/sponsor will recommend a resolution, in writing, with input from the Grievant.~~
~~Step 2 – Building-Level Grievance:~~
~~If the matter cannot be satisfactorily resolved at the First Level, the Grievant may request a review by the Principal of the school building associated with the athletic team or sport about which the grievance was submitted. The Grievant should specify the manner in which the Grievant disagrees with the determination of the Coach or advisor/sponsor. The Principal will review the documentation of the investigation of the Grievance and the recommendation issued by the Coach and/or advisor/sponsor and any documentation related to the Grievance presented by the Grievant, then issue a written determination. It is anticipated that this review will conclude within ( ) ten (10) ( ) _____ (__) [ENTER AMOUNT OF DAYS] [END OF OPTION] instructional days.~~
~~Step 3 – Corporation-Level Grievance: If the matter cannot be satisfactorily resolved at the Second Level, the Grievant may request a conference with the Superintendent. At this conference, the Superintendent will discuss with the Grievant the reason for the Grievant's disagreement with the Principal's determination. Following the conference, the Superintendent will issue a written determination within ( ) five (5) ( ) _____ (__) [ENTER AMOUNT OF DAYS] [END OF OPTION] instructional days of the conference.~~
~~Step 4 – Board-Level Grievance: If the matter cannot be satisfactorily resolved at the Third Level, the Grievant may appeal the Superintendent's determination to the Board. The Board, after reviewing all material relating to the case, shall ( ) provide the Grievant with its written decision ( ) grant a hearing ( ) before the Board ( ) before a committee of the Board [END OF OPTIONS].~~
~~[END OF OPTION 1]~~

~~[ ] [OPTION 2]~~

GRIEVANCE SUBMISSION AND APPEAL

A student or parent wishing to file a grievance may submit a grievance, in writing, to the Principal of the school building associated with the athletic team or sport about which the grievance is being submitted. The Principal will investigate the grievance and make a written finding as to whether or not the State law and school policy have been violated. It is anticipated that this investigation will conclude within ~~( )~~ fifteen (15) ~~( ) _____ (__) [ENTER AMOUNT OF DAYS] [END OF OPTION]~~ instructional days. If the Principal finds that a violation occurred, the Principal will recommend a resolution, with input from the Grievant.

If the Principal concludes that no violation occurred or the Grievant disagrees with the Principal's recommended resolution, the Grievant may appeal the denial of the Grievance or recommended resolution to the Superintendent. The Superintendent will review the Principal's documentation of the investigation of the Grievance and any documentation related to the Grievance presented by the Grievant, then determine whether or not the Principal correctly decided that no violation occurred or whether the recommended resolution is appropriate. It is anticipated that this review will conclude within ~~( ) ten (10) ( )~~ **fifteen** (**15**) ~~[ENTER AMOUNT OF DAYS] [END OF OPTION]~~ instructional days. If the Superintendent finds that a violation occurred, the Superintendent will recommend a resolution, with input from the Grievant.

~~[SELECT ONE (1) OF THE FOLLOWING TWO (2) OPTIONS]~~
~~[ ]~~ The Superintendent's determination is final.

~~[ ] If the Grievant disagrees with the Superintendent's determination, the Grievant may appeal the Superintendent's determination to the Board. The Board, after reviewing all material relating to the case, shall ( ) provide the Grievant with its written decision ( ) grant a hearing ( ) before the Board ( ) before a committee of the Board [END OF OPTIONS].~~
~~[END OF OPTION 2]~~
~~[END OF OPTIONS]~~

Retaliation Prohibited:

The Corporation shall not retaliate or otherwise take any adverse action against a student for reporting a violation or bringing a civil action for a violation of I.C. 20-33-13.

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Legal	I.C. 20-26-14-1 "Association"
	I.C. 20-33-13 Athletic Teams and Sports