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1 _____ **School District**

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3 **THE BOARD OF TRUSTEES**

1700

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5 Uniform Complaint Procedure

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7 The Board establishes this Uniform Complaint Procedure as a means to address complaints
8 arising within the District. This Uniform Complaint Procedure is intended to be used for all
9 complaints except those governed by a collective bargaining agreement.

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11 The District requests all individuals to use this complaint procedure, when the individual
12 believes the Board or its employees or agents have violated the individual's rights under: (1)
13 Montana constitutional, statutory, or administrative law; (2) United States constitutional,
14 statutory, or regulatory law; or (3) Board policy.

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16 The District will endeavor to respond to and resolve complaints without resorting to this formal
17 complaint procedure and, when a complaint is filed, to address the complaint promptly and
18 equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder
19 will not be impaired by a person's pursuit of other remedies. Use of this complaint procedure is
20 not a prerequisite to pursuit of other remedies, and use of this complaint procedure does not
21 extend any filing deadline related to pursuit of other remedies.

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23 The Board has the authority to contract with an independent investigator at any time during the
24 complaint procedure process. Within fifteen (15) calendar days of the Board's receipt of the
25 independent investigator's report and recommendation, the Board will respond to the complaint
26 and take such administrative steps as the Board deems appropriate and necessary.

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28 Level 1: Informal

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30 An individual with a complaint is first encouraged to discuss it with the teacher, with the
31 objective of resolving the matter promptly and informally. An exception is that a complaint of
32 sexual harassment should be discussed directly with an administrator not involved in the alleged
33 harassment.

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35 Level 2: Board

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37 When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed
38 and dated written complaint stating: (1) the nature of the complaint; (2) a description of the event
39 or incident giving rise to the complaint, including any school personnel involved; and (3) the
40 remedy or resolution requested. This written complaint must be filed within thirty (30) calendar
41 days of the event or incident or from the date an individual could reasonably become aware of
42 such event or incident.

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44 Upon written appeal, the Board will consider the decision in Level 1. Upon receipt of written
45 request for appeal, the Chair will place the appeal on the agenda of a regular or special Board
46 meeting. The Board will report its decision on the appeal, in writing, to all parties, within thirty

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4(30) calendar days of the Board meeting at which the Board considered the appeal. A decision of
5the Board is final, unless it is appealed pursuant to Montana law within the period provided by
6law.

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8Level 3: County Superintendent

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10When a matter falls within the jurisdiction of a county superintendent of schools, the decision of

12the Board may be appealed to the county superintendent by filing written appeal within thirty
13(30) calendar days of the Board’s decision, pursuant to Montana law.

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17Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)

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Title II of the Americans with Disabilities Act of 1990

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§ 504 of the Rehabilitation Act of 1973

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21Policy History:

22Adopted on:

23Reviewed on:

24Revised on: