

7 The Board establishes this Uniform Complaint Procedure as a means to address complaints arising
8 within the District. This Uniform Complaint Procedure is intended to be used for all complaints
9 except those governed by a specific process in state or federal law that supersedes this process or
10 collective bargaining agreement. Matters covered by a collective bargaining agreement will be
11 reviewed in accordance with the terms of the applicable agreement.

13 The District requests all individuals to use this complaint procedure, when the individual believes the
14 Board or its employees or agents have violated the individual’s rights under state or federal law or
15 Board policy. Complaints against a building administrator shall be filed with the Superintendent,
16 Complaints against the Superintendent or District administrator shall be filed with the Board.

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

25 Deadlines requiring District action in this procedure may be extended for reasons related but not
26 limited to the District’s retention of legal counsel and District investigatory procedures.

28 Level 1: Informal

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

35 Level 2: Building Administrator

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

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4 When a complaint alleges violation of Board policy or procedure, the building administrator will
5 investigate and attempt to resolve the complaint. The administrator will respond in writing to the
6 complaint, within thirty (30) calendar days of the administrator's receipt of the complaint.
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8 If the complainant has reason to believe the administrator's decision was made in error the
9 complainant may request, in writing, that the Superintendent review the administrator's decision.
10 (See Level 3.) This request must be submitted to the Superintendent within fifteen (15) calendar days
11 of the administrator's decision.
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13 When a complaint alleges sexual harassment or a violation of Title IX of the Education Amendments
14 of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act of
15 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator may turn the
16 complaint over to a District nondiscrimination coordinator. The coordinator will complete an
17 investigation and file a report and recommendation with the Superintendent. If the complainant feels
18 the Superintendent's decision was made in error, they may request, in writing, that the Board
19 consider an appeal of the Superintendent's decision. (See Level 4.) This request must be submitted in
20 writing to the Superintendent, within fifteen (15) calendar days of the Superintendent's written
21 response to the complaint, for transmission to the Board.
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23 Level 3: Superintendent

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25 If the complainant appeals the administrator's decision provided for in Level 2, the Superintendent
26 will review the complaint and the administrator's decision. The Superintendent will respond in
27 writing to the appeal, within thirty (30) calendar days of the Superintendent's receipt of the written
28 appeal. In responding to the appeal, the Superintendent may: (1) meet with the parties involved in the
29 complaint; (2) conduct a separate or supplementary investigation; (3) engage an outside investigator
30 or other District employees to assist with the appeal; and/or (4) take other steps appropriate or helpful
31 in resolving the complaint.
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33 If the complainant has reason to believe the Superintendent's decision was made in error, the complainant may
34 request, in writing, that the Board consider an appeal of the Superintendent's decision. (See Level 4.) This
35 request must be submitted in writing to the Superintendent, within fifteen (15) calendar days of the
36 Superintendent's written response to the complaint, for transmission to the Board.
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38 Level 4: The Board

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40 Upon written appeal of a complaint alleging a violation the individual's rights under state or federal
41 law or Board policy upon which the Board of Trustees has authority to remedy, the Board may
42 consider the Superintendent's decision in Level 2 or 3. Upon receipt of written request for appeal, the
43 Chair will either: (1) place the appeal on the agenda of a regular or special Board meeting, (2) appoint
44 an appeals panel of not less than three trustees to hear the appeal and make a recommendation to the
45 Board, or (3) respond to the complaint with an explanation of why the appeal will not be heard by the
46 Board of Trustees in accordance with this policy. If the Chair appoints a panel to consider the appeal,

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4 the panel will meet to consider the appeal and then make written recommendation to the full Board.
5 The Board will report its decision on the appeal, in writing, to all parties, within thirty (30) calendar
6 days of the Board meeting at which the Board considered the appeal or the recommendation of the
7 panel. A decision of the Board is final, unless it is appealed pursuant to Montana law within the
8 period provided by law.
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11 **Legal Reference:** Title IX of the Education Amendments of 1972 (Civil Rights Act)
12 Title II of the Americans with Disabilities Act of 1990
13 § 504 of the Rehabilitation Act of 1973
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15 Policy History:

16 Adopted on: Jan 13, 2009

17 Reviewed on: Feb 12, 2013; Mar 12, 2013 November 2019

18 Revised on: December 2019