

1 **Great Falls School District**

2
3 **THE BOARD OF TRUSTEES**

1770

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5 Uniform Complaint Procedure

6
7 The Board establishes this uniform complaint procedure as the process for addressing
8 complaints arising within the District. All individuals may use the complaint procedure if
9 they believe the Board, its employees or agents have violated their rights under Montana
10 constitutional, statutory, or administrative law; United States constitutional, statutory, or
11 regulatory law; or board policy.

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13 This procedure is intended to be used for all complaints except those governed by collective
14 bargaining agreement.

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16 When a complaint is made directly to the Board or to an individual Board member, it will
17 generally be referred to the administration for study and possible solution.

18
19 See section below pertaining to complaints related to sexual harassment or a violation of
20 Title IX of the Education Amendments of 1972 (the Civil Rights Act), Title II of the
21 Americans with Disabilities Act of 1990, or Section 504 of the Rehabilitation Act of 1973.

22
23 The District will endeavor to respond to and resolve complaints at the lowest level, and if
24 a complaint is formally filed, to address the complaint promptly and equitably. Use of this
25 complaint procedure is not a prerequisite to the pursuit of other remedies, and use of this
26 complaint procedure does not extend any filing deadline related to the pursuit of other
27 remedies.

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29 **Level 1: Informal Problem Solving (Recommended)**

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31 An individual with a complaint is encouraged to first discuss it with the teacher, counselor,
32 coach, associate principal or principal, with the objective of resolving the matter promptly
33 and informally. An exception is that complaints of sexual harassment should be discussed
34 with the first line administrator who is not involved in the alleged harassment. See section
35 related to Sexual Harassment below.

36
37 **Level 2: Informal Principal /Assistant Superintendent Problem Solving**

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39 If the complaint is not resolved at Level 1, the individual should consult with the principal
40 of the school. The principal shall investigate and attempt to resolve the complaint.

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42 If the principal is not able to remedy the situation satisfactorily, the individual should
43 contact the appropriate assistant superintendent: Elementary Assistant Superintendent for
44 K-6 issues, or Secondary Assistant Superintendent for 7-12 issues. The Assistant
45 Superintendent may meet with the parties involved and seek support from other staff and
46 administration as appropriate in working to solve concern.

1 **Level 3: Formal Written Complaint**

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3 If the complaint is not remedied successfully at Level 2, the individual may file a formal
4 written complaint stating: 1) the nature of the complaint; 2) a description of the event or
5 incident giving rise to the complaint, including any school personnel involved; and 3) the
6 remedy or resolution requested. The complaint must be signed, and filed with the
7 appropriate assistant superintendent within thirty (30) calendar days of the event or
8 incident, or within thirty (30) calendar days from the date the complainant could reasonably
9 become aware of the matter.

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11 The assistant superintendent shall further study and attempt to resolve the complaint.

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13 If either party is not satisfied with the Level 3 decision, the complaint may be advanced to
14 Level 4 by requesting in writing that the Superintendent review the decision. This request
15 must be submitted in writing to the Superintendent within fifteen (15) calendar days of the
16 assistant superintendent's decision.

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18 **Level 4: Superintendent Review and Decision**

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20 If either the complainant or a person against whom a complaint is filed appeals the
21 administrator's decision provided for in Level 3, the Superintendent will review the
22 complaint and the administrator's decision. The Superintendent will respond in writing to
23 the appeal, within thirty (30) calendar days of the Superintendent's receipt of the written
24 appeal. In responding to the appeal, the Superintendent may: 1) meet with the parties
25 involved in the complaint; 2) conduct a separate or supplementary investigation; 3) engage
26 an outside investigator or other District employees to assist with the appeal; and/or 4) take
27 other steps appropriate or helpful in resolving the complaint.

28
29 If either the complainant or the person against whom the complaint is filed is dissatisfied
30 with the Superintendent's decision, either may request that the Board consider an appeal
31 of the Superintendent's decision. See Level 5 below. This request must be submitted in
32 writing to the Superintendent, within fifteen (15) calendar days of the Superintendent's
33 written response to the complaint, for transmission to the Board.

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35 **Level 5: The Board**

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37 Upon receipt of a written appeal of the decision of the Superintendent, the matter shall be
38 placed on the agenda of the Board for consideration not later than their next regularly
39 scheduled meeting. A decision shall be made and reported in writing to all parties within
40 thirty (30) days of that meeting. The decision of the Board will be final, unless appealed as
41 provided by law.

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43 **Level 6: County Superintendent**

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45 If a matter falls within the jurisdiction of the County Superintendent of Schools, the
46 decision of the Board may be appealed to the County Superintendent by filing a written

1 appeal within thirty (30) calendar days after the final decision of the Board, pursuant to
2 Montana state law.

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4 **Complaint of Sexual Harassment, or Violations of Title IX, Title II or Section 504:**

5 If a complaint alleges sexual harassment or a violation of Title IX of the Education
6 Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act
7 of 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator or
8 assistant superintendent may turn the complaint over to a District nondiscrimination
9 coordinator. The coordinator will complete an investigation and file a report and
10 recommendation with the Superintendent. A coordinator may request of the
11 Superintendent that an independent investigator be hired to conduct the investigation.
12 Within fifteen (15) calendar days of the Superintendent's receipt of the coordinator's or
13 independent investigator's report and recommendation, the Superintendent will respond to
14 the complaint and take such administrative steps as the Superintendent deems appropriate
15 and necessary. If either the complainant or the person against whom the complaint is filed
16 is dissatisfied with the Superintendent's decision, either may request, in writing, that the
17 Board consider an appeal of the Superintendent's decision. This request must be submitted
18 in writing to the Superintendent, within fifteen (15) calendar days of the Superintendent's
19 written response to the complaint, for transmission to the Board.
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21 Cross Reference: 3215 Students – Uniform Complaint Procedure
22 4310 Community Relations – Public Complaints
23 5012 Personnel – Sexual Harassment Complaints
24 5215 Personnel – Uniform Complaint Procedure
25 5240 Personnel – Resolution of Staff Complaints
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27 Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)
28 Title II of the Americans with Disabilities Act of 1990
29 Section 504 of the Rehabilitation Act of 1973

30 Procedure History:

31 Adopted on: January 14, 2013

32 Revised on: June 26, 2017