

1 Great Falls School District

2
3 **THE BOARD OF TRUSTEES**

1770

4
5 Uniform Complaint Procedure

6
7 The Board establishes this Uniform Complaint Procedure as the process for addressing
8 complaints arising within the District. This Uniform Complaint Procedure is intended to
9 be used for all complaints except those governed by a specific process in state or federal
10 law that supersedes this process or collective bargaining agreement. Matters covered by a
11 collective bargaining agreement will be reviewed in accordance with the terms of the
12 applicable agreement.

13
14 This grievance procedure shall be made available on the District’s website and the
15 location of which shall be included in all handbooks issued by the District.

16
17 The District requests all individuals to use this complaint procedure, when the individual
18 believes the Board or its employees or agents have violated the individual’s rights under
19 state or federal law or Board policy. Attempts to bypass this Uniform Complaint
20 Procedure at any of its Levels shall be redirected by District officials to the appropriate
21 Level.

22
23 When a complaint is made directly to the Board or to an individual Board member, it will
24 generally be referred to the administration for study and possible solution.

25
26 See section below pertaining to complaints related to sexual harassment or a violation of
27 Title IX of the Education Amendments of 1972 (the Civil Rights Act), Title II of the
28 Americans with Disabilities Act of 1990, or Section 504 of the Rehabilitation Act of
29 1973.

30
31 The District will seek to respond to and resolve complaints at the lowest level, and if a
32 complaint is formally filed, to address the complaint promptly and equitably. The right of
33 a person to prompt an equitable resolution of a complaint filed hereunder will not be
34 impaired by a person’s pursuit of other remedies. Use of this complaint procedure is not a
35 prerequisite to the pursuit of other remedies, and use of this complaint procedure does not
36 extend any filing deadline related to the pursuit of other remedies.

37
38 Deadlines requiring District action in this procedure may be extended for reasons related
39 but not limited to the District’s retention of legal counsel and District investigatory
40 procedures.

41
42 **Level 1: Informal Problem Solving (~~Recommended~~)**

43
44 An individual with a complaint should first discuss it with the appropriate employee,
45 supervisor or administrator with the objective of resolving the matter promptly and
46 informally in accordance with requirements of Policy 2158. If such resolution is not

1 possible, the individual may choose to file a formal written complaint in accordance with
2 specifications at Level 3. An exception to attempts at informal resolution is that
3 complaints of sexual harassment should be discussed with an administrator who is not
4 involved in the alleged harassment. See section related to Sexual Harassment below.

5
6 **Level 2: Informal Principal District Administrator Problem Solving**

7
8 If the complaint is not resolved at Level 1, the individual should consult with the
9 principal of the school, or supervisor of the program/department. The principal or
10 supervisor shall investigate and attempt to resolve the complaint.

11
12 If the principal or supervisor is not able to remedy the situation satisfactorily, the
13 individual should contact the appropriate District Administrator. The District
14 Administrator may meet with the parties involved and seek support from other staff and
15 administration as appropriate in working to resolve the matter.

16
17 **Level 3: Formal Written Complaint**

18
19 If the complaint is not remedied successfully at Level 2, the individual may file a formal
20 written complaint stating: 1) the nature of the complaint, including the complaining
21 individual's position to assert legal rights; 2) a description of the event or incident giving
22 rise to the complaint, including any school personnel involved; and 3) the remedy or
23 resolution requested. The written complaint must be signed and filed with the
24 appropriate District Administrator within thirty (30) calendar days of the event or
25 incident, or within thirty (30) calendar days from the date the complainant could
26 reasonably become aware of the matter. The applicability of the deadline is subject to
27 review by the Superintendent to ensure the intent of this Uniform Complaint Procedure is
28 honored.

29
30 The District Administrator shall further study and attempt to resolve the complaint.

31
32 If either the complainant or the person against whom the complaint is filed has reason to
33 believe the administrator's decision was made in error, the complaint may advance to
34 Level 4 by requesting in writing that the Superintendent review the decision. This request
35 must be submitted in writing to the Superintendent within fifteen (15) calendar days of
36 the District Administrator's decision.

37
38 **Level 4: Superintendent Review and Decision**

39
40 If either the complainant or the person against whom the complaint is filed appeals the
41 administrator's decision provided for in Level 3, the Superintendent will review the
42 complaint and the administrator's decision. The Superintendent will respond in writing to
43 the appeal, within thirty (30) calendar days of the Superintendent's receipt of the written
44 appeal. In responding to the appeal, the Superintendent may: 1) meet with the parties
45 involved in the complaint; 2) conduct a separate or supplementary investigation; 3)

1 engage an outside investigator or other District employees to assist with the appeal;
2 and/or 4) take other steps appropriate or helpful in resolving the complaint.

3
4 If either the complainant or the person against whom the complaint is filed has reason to
5 believe the Superintendent's decision was made in error, either may request in writing
6 that the Board consider an appeal of the Superintendent's decision. See Level 5 below.
7 This request must be submitted in writing to the Superintendent, within fifteen (15)
8 calendar days of the Superintendent's written response to the complaint, for transmission
9 to the Board.

10 11 **Level 5: The Board**

12
13 Upon written appeal of a complaint alleging a violation of the individual's rights under
14 state or federal law or Board policy upon which the Board of Trustees has authority to
15 remedy, the Board may consider the Superintendent's decision in Level 4. Upon receipt
16 of written request of appeal, the Chairperson will either: (1) place the appeal on the
17 agenda of a regular or special Board meeting, (2) appoint an appeals panel of not less
18 than three Trustees to hear the appeal and make a recommendation to the Board, or (3)
19 respond to the complaint with an explanation of why the appeal will not be heard by the
20 Board of Trustees in accordance with this policy. If the Chairperson appoints a panel to
21 consider the appeal, the panel will meet to consider the appeal and then make a written
22 recommendation to the full Board. The Board will report its decision on the appeal, in
23 writing, to all parties, within thirty (30) calendar days of the Board meeting at which the
24 Board considered the appeal or the recommendation of the panel. A decision of the Board
25 is final, unless it is appealed pursuant to Montana law within the period provided by law.

26 27 **Complaint of Sexual Harassment, or Violations of Title IX, Title II or Section 504:**

28 If a complaint alleges sexual harassment or a violation of Title IX of the Education
29 Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities
30 Act of 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator
31 or Executive Director may turn the complaint over to a District nondiscrimination
32 coordinator. The coordinator will complete an investigation and file a report and
33 recommendation with the Superintendent. A coordinator may request of the
34 Superintendent that an independent investigator be hired to conduct the investigation.
35 Within fifteen (15) calendar days of the Superintendent's receipt of the coordinator's or
36 independent investigator's report and recommendation, the Superintendent will respond
37 to the complaint and take such administrative steps as the Superintendent deems
38 appropriate and necessary. If either the complainant or the person against whom the
39 complaint is filed feels the Superintendent's decision was made in error, either may
40 request, in writing, that the Board consider an appeal of the Superintendent's decision.
41 This request must be submitted in writing to the Superintendent, within fifteen (15)
42 calendar days of the Superintendent's written response to the complaint, for transmission
43 to the Board.

44
45
46

1 Cross Reference:

- 2 Policy 2158 Family Engagement Policy
- 3 Policy 3215 Uniform Complaint Procedure
- 4 Policy 4310 Public Complaints
- 5 Policy 5012 Sexual Harassment Complaints
- 6 Policy 5215 Uniform Complaint Procedure
- 7 Policy 5240 Resolution of Staff Complaints

8
9

10 Legal Reference:

- 11 Title IX of the Education Amendments of 1972 (Civil Rights Act)
- 12 Title II of the Americans with Disabilities Act of 1990
- 13 Section 504 of the Rehabilitation Act of 1973
- 14 Chapter 305 (2023) Require Trustees to Adopt a Grievance Policy
- 15 § 20-3-323, MCA District Policy and Records of Acts

16

17 Procedure History:

- 18 Adopted on: January 14, 2013
- 19 Revised on: June 26, 2017
- 20 Revised on: June 24, 2019
- 21 Revised on: August 21, 2023