

AR 1312.1 PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL

Note: *The following optional regulation may be revised or deleted in light of district needs and collective bargaining obligations.*

The School Board seeks to ensure that complaints by the public are addressed equitably, regardless of ethnicity, race, disability, gender identity, sexual orientation, religious or cultural preferences, familial status, or socioeconomic background, of the complainant or the personnel at issue. In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints. Every effort should be made to resolve a complaint at the earliest possible stage. Individuals are encouraged to attempt to verbally resolve concerns with the staff member directly.

In order to ensure fair and equitable access to the complaint process, the district may assist a complainant in the complaint process and resolution efforts. Assistance can include, but is not limited to, cultural support, age appropriate support, and disability accommodation that will assist complainants with oral and written communications related to the complaint and resolution processes.

All written complaints regarding district personnel, other than administrators, shall be initially filed with the principal or immediate supervisor. If the complaint regards a principal or central office administrator, the written complaint shall be initially filed with the Superintendent or designee. If the written complaint concerns the Superintendent or designee, it shall be initially filed with the School Board President. If the complaint is also against the district, the principal or designee shall provide a copy of the complaint to the district compliance officer so that appropriate procedures may be followed.

If the complaint cannot be resolved informally by the persons involved, the complainant may submit the complaint in writing to the appropriate individual as identified in the paragraph immediately above. When necessary, the district shall assist in the preparation of the written complaint so as to meet the requirements of this regulation. The administrative staff shall inform the complainant that such assistance is available if he/she is unable to prepare the written complaint without assistance. A written complaint must include the name of each employee involved and a brief but specific summary of the complaint and the facts surrounding it. It must also include a specific description of any prior attempts to discuss the complaint with the employee involved and the failure to resolve the matter.

The principal or immediate supervisor shall investigate and attempt to resolve the complaint to the satisfaction of the person(s) involved. If the complaint is resolved, the principal will so advise all concerned parties, including the Superintendent or designee.

If the complaint remains unresolved after review by the principal or the immediate supervisor, the principal shall refer the written complaint, together with a report and analysis of the situation, to the Superintendent or designee. Complainants should consider and accept the Superintendent or designee's decision as final.

Except when a complaint is directed against the Superintendent or designee, no party to a complaint may address the School Board. School Board members shall make every effort to not prejudice themselves by listening to or discussing the matter of the complaint with any other School Board members, staff, students or public prior to receiving the Superintendent's report and formally

meeting as a Board on the issue.

All parties to a complaint, including the school administration, may be asked to attend a School Board meeting, or part of such meeting, for the purpose of presenting all available evidence and allowing every opportunity for explaining and clarifying the issue. The decision of the School Board following the hearing shall be final. Complaints before the School Board concerning an employee that may tend to be prejudicial to the employee's reputation or character shall be addressed in executive session of the School Board.

(cf. 9321 - Executive Sessions)

Note: *The district should make sure that complaints heard in executive session are indeed complaints against an employee, not against district practice or procedures.*

Revised: 03/2019, 03/2021

Southwest Region School District

BP 1312 PUBLIC COMPLAINTS CONCERNING THE SCHOOLS

The School Board believes that a quality educational program is dependent upon a strong relationship with its communities. The School Board further believes that improved student success results when the district listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective and culturally responsive process.

The Board encourages complainants to resolve problems early and informally whenever possible. The School Board expects that all district staff and will respond to complaints and resolve problems will do so in a manner that is culturally responsive and is not influenced by discrimination or biases. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate district procedures. District procedures shall be readily accessible to the public and if needed, should be available in languages which parents use and understand.

Individual Board members do not have authority to resolve complaints. If approached directly with a complaint, however, School Board members should also demonstrate cultural responsiveness while listening to the complaint and providing assistance by referring the complainant to the Superintendent or designee so that the problem may receive proper consideration and due process.

(cf. 1120 - Public Involvement in Board Meetings)

(cf. 1312.1 - Public Complaints Concerning School Personnel)

(cf. 1312.2 - Public Complaints Concerning Instructional Materials)

(cf. 1312.3 - Public Complaints Concerning Discrimination)

Note: Pursuant to [4 AAC 52.500](#), any person may file a complaint with the Department of Education alleging a violation of state regulations governing education for exceptional children.

Legal Reference:

ALASKA STATUTES

[14.18.100](#) - Remedies (Sex or Race Discrimination)

ALASKA ADMINISTRATIVE CODE

[4 AAC 06.560-580](#) - Violations; Prohibition Against Sex Discrimination

[4 AAC 52.500-629](#) - Procedural Safeguards; Education for Exceptional Children

FEDERAL LAW

Title VI, Civil Rights Act Of 1964

Title IX, Education Amendments Of 1972

Section 504, Rehabilitation Act Of 1973

CODE OF FEDERAL REGULATIONS

[34 CFR 200.74](#) and [Part 300](#)

UNITED STATES CODE

Title VII, Civil Rights Act Of 1964, [42 U.S.C. 2000](#) et. seq. (Ch. 21)

General Education Provisions Act, [20 U.S.C. 1221](#) et. seq., Especially:

Family Educational Rights And Privacy Rights Act, [20 U.S.C. 1232g](#)

Revised 09/1997, 03/2019

Adopted: November 2, 2006

Reviewed: April 23, 2019

Adopted: May 28, 2019

Southwest Region School District
