

1 **Great Falls School District**

2
3 **PERSONNEL**

5215

4
5 Uniform Complaint Procedure

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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.

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14 The District requests all individuals to use this complaint procedure, when the individual
15 believes the Board or its employees or agents have violated the individual's rights under
16 state or federal law or Board policy.

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

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21 See section below pertaining to complaints related to sexual harassment or a violation of
22 Title IX of the Education Amendments of 1972 (the Civil Rights Act), Title II of the
23 Americans with Disabilities Act of 1990, or Section 504 of the Rehabilitation Act of
24 1973.

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26 The District will endeavor to respond to and resolve complaints at the lowest level, and if
27 a complaint is formally filed, to address the complaint promptly and equitably. The right
28 of a person to prompt and equitable resolution of a complaint filed hereunder will not be
29 impaired by a person's pursuit of other remedies. Use of this complaint procedure is not a
30 prerequisite to the pursuit of other remedies, and use of this complaint procedure does not
31 extend any filing deadline related to the pursuit of other remedies.

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33 Deadlines requiring District action in this procedure may be extended for reasons related
34 but not limited to the District's retention of legal counsel and District investigatory
35 procedures.

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

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39 An individual with a complaint is encouraged to first discuss it with the appropriate
40 employee, supervisor or administrator with the objective of resolving the matter promptly
41 and informally. An exception is that complaints of sexual harassment should be
42 discussed with an administrator who is not involved in the alleged harassment. See
43 section related to Sexual Harassment below.

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1 **Level 2: Informal Principal/District Administrator Problem Solving**

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

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

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12 **Level 3: Formal Written Complaint**

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

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

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

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

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

42
43 If either the complainant or the person against whom the complaint is filed has reason to
44 believe the Superintendent's decision was made in error, either may request that the
45 Board consider an appeal in writing of the Superintendent's decision. See Level 5 below.
46 This request must be submitted in writing to the Superintendent, within fifteen (15)

1 calendar days of the Superintendent’s written response to the complaint, for transmission
2 to the Board.

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4 **Level 5: The Board**

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

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

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

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39 Cross Reference:

- 40 Policy 1770 Uniform Complaint Procedure
41 Policy 3215 Uniform Complaint Procedure
42 Policy 4310 Public Complaints
43 Policy 5012 Sexual Harassment Complaints
44 Policy 5240 Resolution of Staff Complaints

1 Legal Reference:

2 Title IX of the Education Amendments of 1972 (Civil Rights Act)

3 Title II of the Americans with Disabilities Act of 1990

4 Section 504 of the Rehabilitation Act of 1973

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6 Procedure History:

7 Adopted on: August 23, 2010

8 Revised on: February 11, 2013

9 Revised on: December 18, 2017

10 Revised on: October 21, 2019