

**COMPLAINTS**

*(See BCBI, GAACA, GAAB, IF, IKD, and JCE)*

The Board encourages all complaints regarding the district to be resolved at the lowest possible administrative level. Whenever a complaint is made directly to the Board as a whole or to a Board member as an individual, it will be referred to the administration for study and possible resolution.

**I. Complaints About Discrimination or Discriminatory Harassment**

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the district's programs and activities, is prohibited. Harassment of an individual on any of these grounds is also prohibited. The Superintendent, or designee, has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990. Information concerning the provisions of these Acts, and the rights provided thereunder, are available from the compliance coordinator.

**A. Employees** (See Policy GAAB)

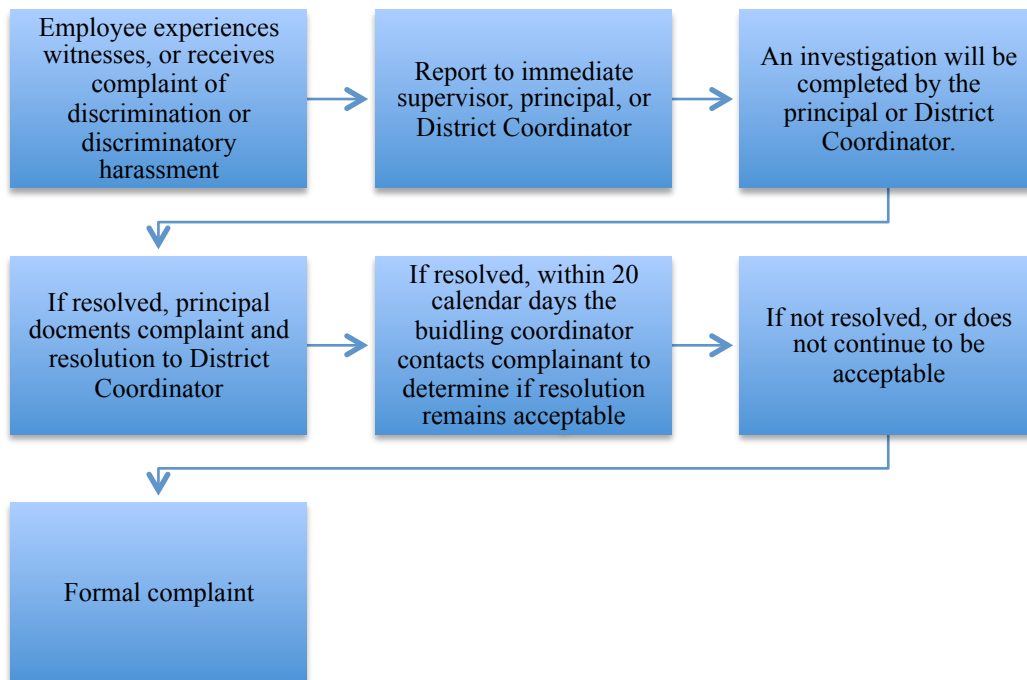
Complaints of discrimination or discriminatory harassment by an employee should be addressed to the employee's supervisor, the building principal, or the district compliance coordinator. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator.

Complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

Informal Procedures The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. The building principal shall discuss the complaint with the individual to determine if it can be resolved. An investigation will be completed by the principal or District Coordinator. If the matter is resolved to the satisfaction of the individual, the building principal shall document the nature of the complaint and the proposed resolution of the complaint, and forward this record to the district compliance coordinator. Within 20 calendar days after the complaint is resolved in this manner, the building compliance coordinator shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved to the satisfaction of the individual in the meeting with the building compliance coordinator, or if the individual does not believe the resolution remains acceptable, the individual may initiate a formal complaint.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Summary of Discrimination Complaint Procedures (Employees)



**B. Students:** (See Policy JCE)

Complaints by a student should be addressed to the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of discrimination or harassment from a student shall inform the student of the employee’s obligation to report the complaint and any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the district compliance coordinator.

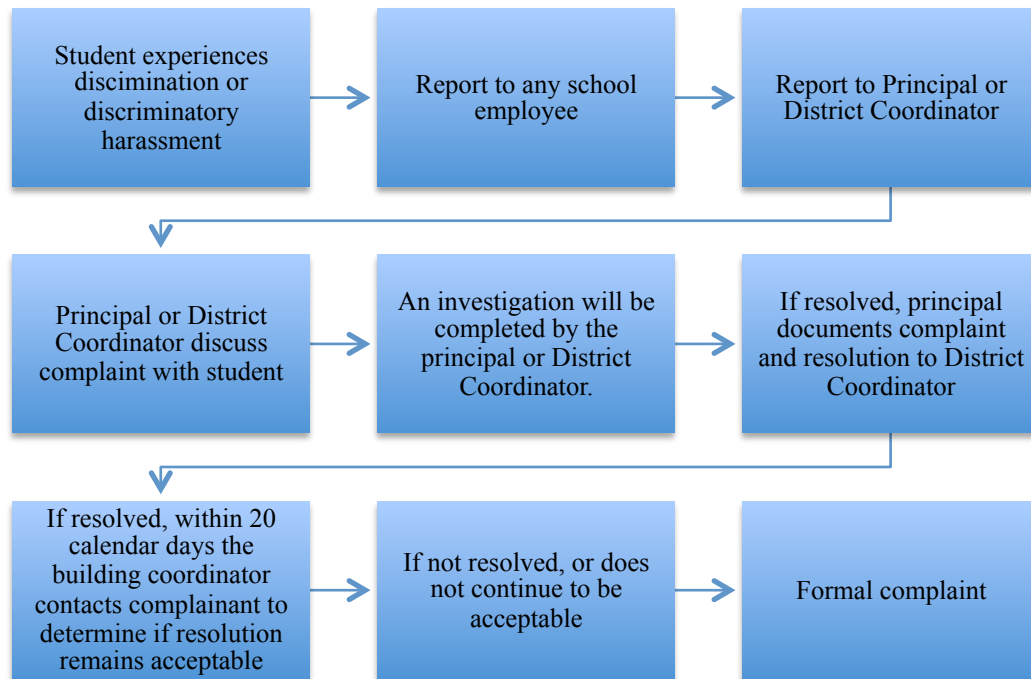
Complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

Informal Procedures: Any school employee who receives a complaint of discrimination harassment from a student shall inform the student of the employee’s obligation to report the complaint and any proposed resolution of the complaint to the building principal.

The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. The building principal shall discuss the complaint with the student to determine if it can be resolved. An investigation will be completed by the principal or District Coordinator. If the matter is resolved to the satisfaction of the student, the building principal shall document the nature of the complaint and the proposed resolution of the complaint, and forward this record to the district compliance coordinator. Within 20 calendar days after the complaint is resolved in this manner, the building compliance coordinator shall contact the student to determine if the resolution of the matter remains acceptable. If the matter is not resolved to the satisfaction of the student in the meeting with the building compliance coordinator, or if the student does not believe the resolution remains acceptable, the student may initiate a formal complaint.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Summary of Discrimination Complaint Procedures (Students)



**C. Parents/Patrons**

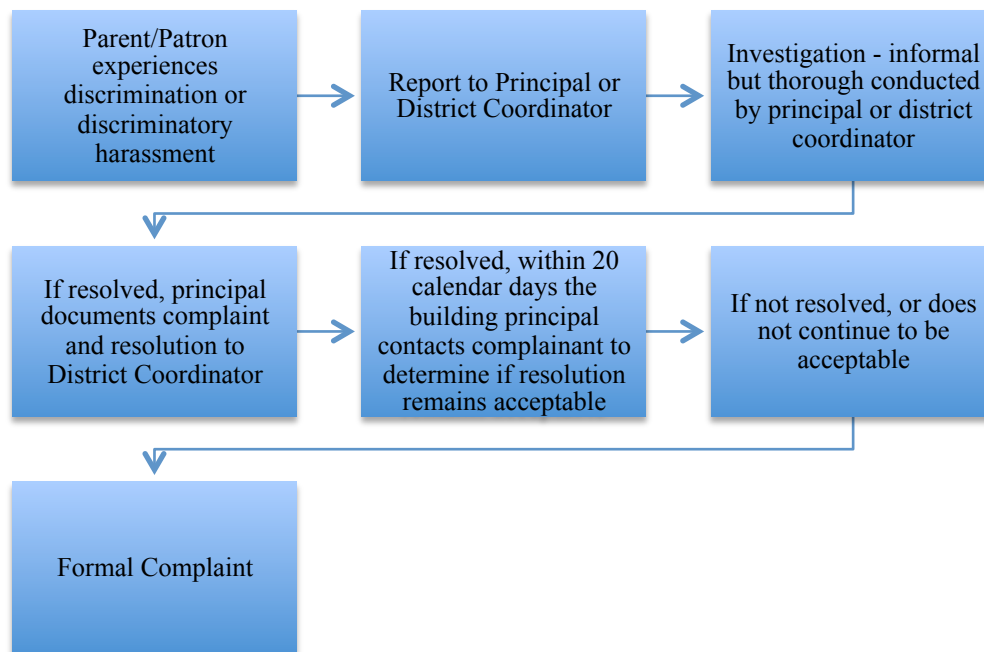
Complaints by parents, patrons, or any other person alleging discrimination should be addressed to the building principal or the district compliance coordinator.

Complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

Informal Procedures: The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. The building principal shall discuss the complaint with the individual to determine if it can be resolved. An investigation will be completed by the principal or District Coordinator. If the matter is resolved to the satisfaction of the individual, the building principal shall document the nature of the complaint and the proposed resolution of the complaint, and forward this record to the district compliance coordinator. Within 20 calendar days after the complaint is resolved in this manner, the building compliance coordinator shall contact the complainant student to determine if the resolution of the matter remains acceptable. If the matter is not resolved to the satisfaction of the individual in the meeting with the building compliance coordinator, or if the individual does not believe the resolution remains acceptable, the individual may initiate a formal complaint.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its reoccurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Summary of Discrimination Complaint Procedures (Parents/Patrons)



**D. Other Types of Complaints**

Complaints About Policy

The superintendent shall report any unresolved complaint about policies to the board at the next regularly scheduled board meeting.

Complaints About Curriculum (See Policy IF)

Complaints or challenges about curriculum will be handled following the procedures listed in Policy IF. The superintendent shall report a failure to resolve any complaint about curriculum to the board at the next regularly scheduled board meeting.

Complaints About Facilities and Services

Any student, employee, or parent may file a complaint about facilities and services as it applies to the individual. The complaint shall be made in writing. A complaint should be filed as soon as possible after the conduct occurs, but not later than 20 calendar days after the complainant becomes aware of the alleged violation. The building principal or facility supervisor shall investigate the complaint and inform the complainant of the resolution within 10 calendar days after the complaint is filed. The complainant may appeal the determination of the complaint to the superintendent within 10 calendar days after receiving the determination. The superintendent shall report any unresolved complaint about facilities and services to the board at the next regularly scheduled board meeting.

Complaints About Emergency Safety Intervention Use

Complaints concerning the use of emergency safety interventions by district staff shall be addressed in accordance with the local dispute resolution process outlined in board policy GAAF.

**I. Formal Complaint Procedures**

A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. If an individual does not wish to file a written complaint and the matter has not been adequately resolved, the building principal may initiate the complaint. Forms for filing written complaints are available in each building office and the central office.

A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 calendar days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.

If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by the building principal, the compliance coordinator or another individual appointed by the board. The investigation shall be informal but thorough to include, but not limited to, the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant and the accused no later than 30 calendar days after the filing of the complaint. Upon mutual agreement of the parties, this deadline may be extended by up to 30 calendar days.

If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.

If the investigation results in a recommendation that an employee be suspended without pay or terminated, procedures outlined in board policy, the negotiated agreement or state law will be followed. Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the district compliance coordinator.

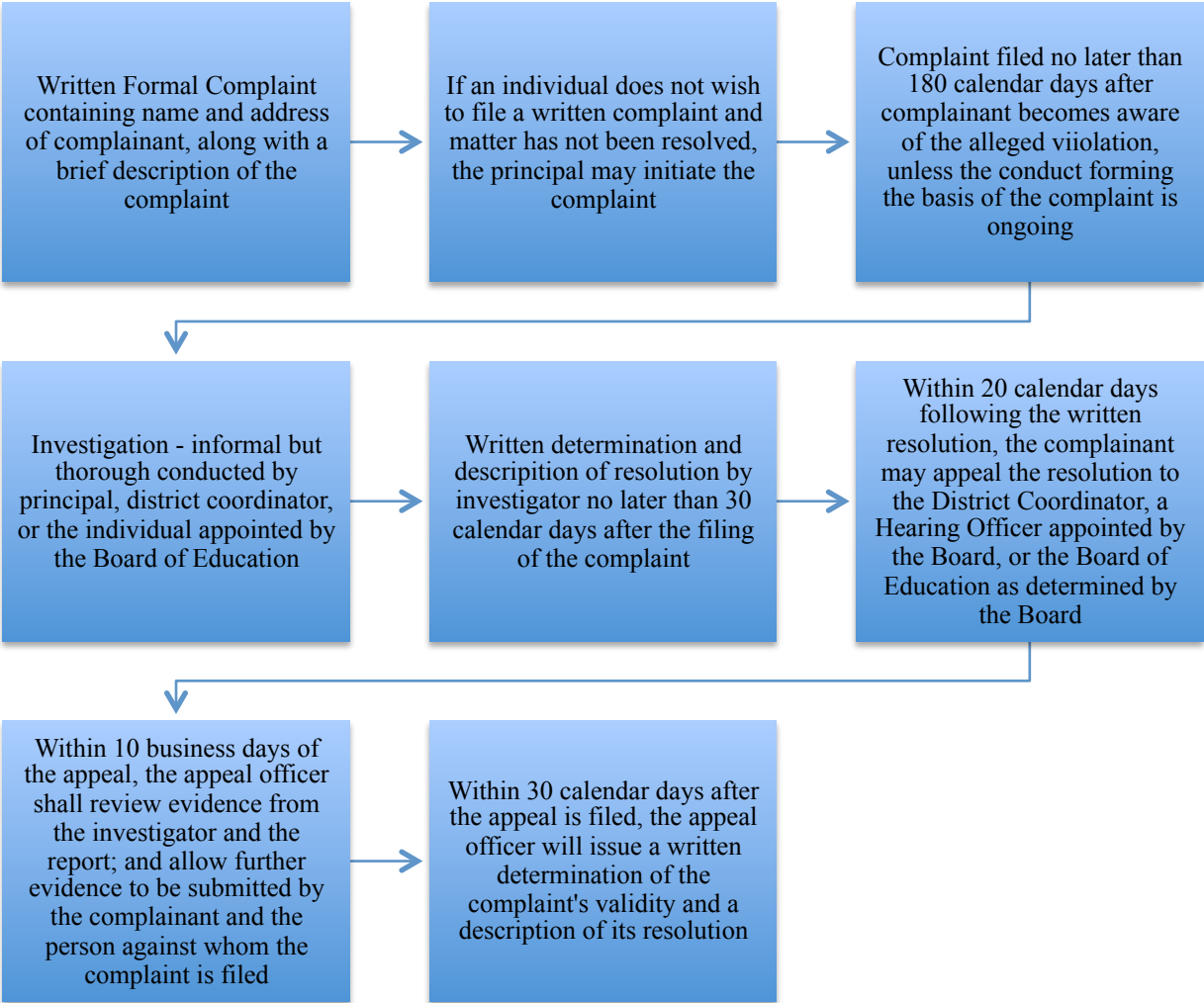
## **II. Appeals of Formal Complaints**

The complainant may appeal the determination of the complaint. Appeals shall be heard by the district compliance coordinator, a hearing officer appointed by the board, or by the board itself as determined by the board. The request to appeal the resolution shall be made within 20 calendar days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator and the investigator's report, and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in writing, within 10 business days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 30 calendar days after the appeal is filed.

If discrimination or harassment has occurred, the district will take prompt, remedial action to prevent its recurrence. The district prohibits retaliation or discrimination against any person for opposing discrimination, including harassment; for participating in the complaint process; or making a complaint, testifying, assisting, or participating in any investigation, proceeding, or hearing.

Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

### **Summary of Formal Complaint Procedures**



Adopted: 11-05-2007

Revised: 12-07-2009, 11-07-2011, 10-07-2013, 11-02-2015, 3-06-2017, 10-14-2019