

Nashua K-12 Schools

Adopted on: 03/10/09

Reviewed on:

1700 - R

BOARD OF TRUSTEES

Revised on: 02/09/10, 02/09/16, 06/25/19

Uniform Complaint Procedure

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

The District requests all individuals to use this complaint procedure, when the individual believes the Board or its employees or agents have violated the individual’s rights under state or federal law or Board policy. Complaints against the Superintendent or District administrator shall be filed with the Board.

The District will endeavor to respond to and resolve complaints without resorting to this formal complaint procedure and, when a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder will not be impaired by a person’s pursuit of other remedies. Use of this complaint procedure is not a prerequisite to pursue other remedies and use of this complaint procedure does not extend any filing deadline related to pursuit of other remedies.

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

Level 1: Informal

An individual with a complaint is first encouraged to discuss it with the appropriate employee with the objective of resolving the matter promptly and informally. An exception is that a complaint of sexual harassment should be discussed directly with an employee not involved in the alleged harassment. Complaints alleging violations of district policy by Administrator will be brought to the Board.

Level 2: Administrator

When a complaint has not been or cannot be resolved at Level 1, an individual may file a signed and dated written complaint stating: (1) the nature of the complaint; (2) a description of the event or incident giving rise to the complaint, including any school personnel involved; and (3) the remedy or resolution requested. This written complaint must be filed within thirty (30) calendar days of the event or incident or from the date an individual could reasonably become aware of such event or incident. The applicability of the deadline is subject to review by the Administrator to ensure the intent of this uniform complaint procedure is honored.

1
2
3
4
5 When a complaint alleges violation of Board policy or procedure, the Administrator will
6 investigate and attempt to resolve the complaint. The Administrator will respond in writing to
7 the complaint, within thirty (30) calendar days of the administrator's receipt of the complaint.
8

9 If the complainant has reason to believe the Administrator's decision was made in error, the
10 complainant may request, in writing, that the Board of Trustees review the
11 Administrator's decision. (See Level 3.) This request must be submitted to the Board Chair
12 within fifteen (15) calendar days of the administrator's decision.
13

14 When a complaint alleges sexual harassment or a violation of Title IX of the Education
15 Amendments of 1972 (the Civil Rights Act), Title II of the Americans with Disabilities Act of
16 1990, or Section 504 of the Rehabilitation Act of 1973, the building administrator may turn the
17 complaint over to a District nondiscrimination coordinator. The coordinator will complete an
18 investigation and file a report and recommendation with the Administrator.
19

20 Level 3: Board of Trustees

21
22 Upon written appeal of a complaint alleging a violation the individual's rights under: (1)
23 Montana constitutional, statutory, or administrative law; (2) United States constitutional,
24 statutory, or regulatory law; or (3) Board policy upon which the Board of Trustees has authority
25 to remedy, the Board may consider the Administrator's decision in Level 2. Upon receipt of
26 written request for appeal, the Chair will either: (1) place the appeal on the agenda of a regular or
27 special Board meeting, (2) appoint an appeals panel of not less than three trustees to hear the
28 appeal and make a recommendation to the Board, or (3) respond to the complaint with an
29 explanation of why the appeal will not be heard by the Board of Trustees in accordance with this
30 policy. If the Chair appoints a panel to consider the appeal, the panel will meet to consider the
31 appeal and then make written recommendation to the full Board. The Board will report its
32 decision on the appeal, in writing, to all parties, within thirty (30) calendar days of the Board
33 meeting at which the Board considered the appeal or the recommendation of the panel. A
34 decision of the Board is final, unless it is appealed pursuant to Montana law within the period
35 provided by law.
36
37
38

39 Legal Reference: Title IX of the Education Amendments of 1972 (Civil Rights Act)
40 Title II of the Americans with Disabilities Act of 1990
41 § 504 of the Rehabilitation Act of 1973
42
43

Nashua K-12 Schools

Adopted on: 02/09/16

Reviewed on:

Revised on:

1700F

BOARD OF TRUSTEES

Nashua Public Schools

PO Box 170, Nashua MT 59248 (406) 746-3411

www.nashua.k12.mt.us

UNIFORM COMPLAINT FORM

The Board of Trustees has established a Uniform Complaint Procedure under District Policy 1700 as a means to address complaints that arise within Nashua Public Schools.

The Board of Trustees expects that most complaints will be addressed informally at the school level. A person with a complaint is encouraged first to discuss the issue with the appropriate teacher, staff member, or the superintendent with the objective of resolving the matter promptly and informally. This complaint form may be used when an issue cannot be resolved informally.

The District endeavors to respond to and resolve complaints promptly and equitably. The right of a person to prompt and equitable resolution of a complaint will not be impaired by the person's pursuit of other remedies. Use of this Complaint Procedure is not a prerequisite to the pursuit of other remedies and does not extend any filing deadline related to the pursuit of other remedies.

Please attach a separate sheet if necessary.

1. Nature of complaint:

2. Description of incident (date, individuals involved, etc.):

1 3. Resolution or remedy requested:
2
3
4
5
6
7
8
9

10 4. Attempts made to resolve the issue informally (personnel contacted, dates, etc.):
11
12
13
14
15
16
17
18

19 5. Please check all of the following that apply:
20

- 21 I am currently a student in Nashua Public Schools.
- 22
- 23 I am a parent or legal guardian of a current student in Nashua Public Schools.
- 24
- 25 I am a resident within the District boundaries of Nashua Public Schools.
- 26
- 27 I have observed the incident or have direct knowledge of the matters asserted.
- 28
- 29 I have been directly affected by this incident.
- 30
- 31

326. Expectation of privacy and confidentiality (one of the following must be selected). Montana law governs
33 whether or not this document is a public document available for public review. Your expectation of privacy is
34 important information in this regard.
35

- 36 I expect that this complaint will be treated as a confidential matter and I do not waive any right of privacy for
37 myself or, if applicable, my child.
- 38
- 39 I waive any right of privacy I may have or my child may have and I understand the District may release this
40 complaint as a public document.
- 41

42 _____
43 (Name – print or type) (Telephone)
44
45 _____
46 (Mailing address) (City) (State) (Zip)
47
48 _____
49 (Signature) (Date)
50
51
52

53 Please refer to Policy 1700 for a complete description of the Uniform Complaint Procedure. You may view this
54 policy on the Nashua Public School website at www.nashua.k12.mt.us under District Policies – Series 1000. A copy
55 may also be obtained from the District Clerk at Nashua Public Schools, 222 Mabel, Nashua, MT 59248, telephone
56 (406) 746-3411