

KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT BOARD OF EDUCATION
AGENDA STATEMENT

No. 8c

MEETING OF June 23, 2021

REVIEWED BY:

ITEM TITLE:

PUBLIC HEARING - POLICY

Policy Committee

Approval of revisions to Board Policy 1312.3-
Public Complaints Concerning Discrimination in second reading

SUBMITTED BY: Policy Committee

APPROVED FOR SUBMITTAL:

Melissa Brooks-Johnson, Interim Superintendent

SUMMARY STATEMENT:

The Policy Committee is suggesting revisions to Board Policy 1312.3 - Public Complaints Concerning Discrimination.

ISSUE:

Board Bylaw 9300 states that "The formulation and adoption of written Board policies shall constitute the basic method by which the Board shall govern the school district." Board Policy 0500 and Board Bylaw 9311 both address the ongoing review of district policies and programs by the School Board.

The Policy Committee is currently reviewing policies in the Community Relations Series 1000 of the Policy Manual. The committee is suggesting the revision as shown to this policy.

BACKGROUND:

Recommended deletions are shown by strike-through marks, while proposed new language is indicated by bold text and underlines.

The Board considered these proposed revisions in first reading on June 9, 2021.

ATTACHMENTS:

- Proposed revisions to Board Policy 1312.3 - Public Complaints Concerning Discrimination.

RECOMMENDED ACTION:

"I move that the Board of Education approve the revisions to the Board Policy 1312.3 - Public Complaints Concerning Discrimination in second reading."

PUBLIC COMPLAINTS CONCERNING DISCRIMINATION

Note: 4 AAC 06.560 mandates that the district adopt and make available to the public written grievance procedures for violations of A.S. 14.18 or 4 AAC 06.500 -4 AAC 06.600, governing sex and race discrimination. The following sample policy and regulations should be revised as deemed appropriate within the parameters of law.

The School Board recognizes that the district has primary responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs. The Superintendent or designee shall establish procedures to investigate and seek to resolve complaints alleging unlawful discrimination related to educational programs and activities.

The School Board acknowledges and respects student and employee rights to privacy. Complaints shall be investigated in a manner that protects these rights.

*(cf. 1340 – Access to District Records)
(cf. 4112.6 – Personnel Records)
(cf. 5125 – Student Records)*

The School Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in complaint procedures. **The Board outlines the District discrimination policy under BP 5145.3.**

*(cf. 0410 – Nondiscrimination in District Programs and Activities)
(cf. 1213.1 – Complaints Concerning School Personnel)
(cf. 1213.2 – Complaints Concerning Instructional Materials)
(cf. 5141.4 – Child Abuse and Neglect (Reporting Procedures)
(cf. 5145.3 - Nondiscrimination)*

Legal Reference:

ALASKA STATUTES

*14.18.010 Discrimination based on sex and race prohibited
14.18.020 Discrimination in employment prohibited
14.18.090 Enforcement by State Board of Education
14.18.100 Remedies (Sex or Race Discrimination)*

ALASKA ADMINISTRATIVE CODE

*4 AAC 06.510 Discrimination in hiring practices.
4 AAC 06.560 – 06.580 Violations; Prohibition Against Sex Discrimination
4 AAC 52.500 – 52.629 Procedural Safeguards; Education for Exceptional Children*

PUBLIC COMPLAINTS CONCERNING DISCRIMINATION (continued)

Legal References Continued:

TITLE VI, CIVIL RIGHTS ACT OF 1964

TITLE VII, CIVIL RIGHTS ACT OF 1964

TITLE IX, EDUCATION AMENDMENTS OF 1972

SECTION 504, REHABILITATION ACT OF 1973

34 CODE OF FEDERAL REGULATIONS

200.74 and Part 300

GENERAL EDUCATION PROVISIONS ACT, 20 U.S.C. 1221 et seq., especially:

FAMILY EDUCATIONAL RIGHTS AND PRIVACY RIGHTS ACT, 20 U.S.C. 1232g

CIVIL RIGHTS RESTORATION ACT

20 U.S.C. 1683 et seq.

VOCATIONAL REHABILITATION ACT OF 1973, SECTIONS 503 AND 504

29 U.S.C. 791 et seq.

AGE DISCRIMINATION IN EMPLOYMENT ACT

29 U.S.C. 621 et seq.

VIETNAM ERA VETERANS ACT

38 U.S.C. 2011 et seq.

AMERICANS WITH DISABILITIES ACT

42 U.S.C. 12101 et seq.

KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

Adoption Date: 10/13/99

Revision Date: 8/14/2019

Revision Date: __/__/2021