

KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT BOARD OF EDUCATION
AGENDA STATEMENT

No. 7 a

MEETING OF August 14, 2019

REVIEWED BY:

ITEM TITLE:

PUBLIC HEARING - POLICY

Approval of revised Board Policy 1312 - Public Complaints
Concerning the Schools, in second reading

Superintendent
 Personnel
 Finance
 Policy Committee

SUBMITTED BY: Beth Lougee, Superintendent

CONTACT PERSON/TELEPHONE:

APPROVED FOR SUBMITTAL:

Superintendent Lougee 247-2109
Phone

Superintendent

SUMMARY STATEMENT:

The Board is being asked to approve revisions to Board Policy 1312 - Public Complaints
Concerning the Schools.

ISSUE:

This Board policy is part of a series of policies that need updating.

Board Policy 9310 dictates that “the district shall develop or revise policies and regulations in order to reflect new legislation and changing community views.” Additionally, BP 9311 calls for the Superintendent or the Superintendent’s designee to “maintain procedures for the continuous orderly review of existing policies at a time allocated for this purpose on the agenda of regular Board meetings... in addition to presenting drafts or suggestions for new policy and policy revisions when changes in law occur or when a specific need arises”.

BACKGROUND:

These revisions are being recommended after review by the Policy Committee.

The School Board held a policy hearing and a first reading on the proposed revisions at its July meeting.

RECOMMENDATION:

Approval of the policy revisions as presented.

ATTACHMENTS:

- Proposed revisions to BP 1312
- Forms - Citizen Complaint form
- Student Grievance form

RECOMMENDED ACTION:

“I move that the Board of Education approve the proposed revisions to Board Policy 1312 - Public Complaints Concerning the Schools in second reading.”

BP 1312 PUBLIC COMPLAINTS CONCERNING THE SCHOOLS

The School Board believes that the quality of the educational program can improve when the district listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective process.

The School Board encourages complainants to resolve problems early ~~and informally~~ **as directly as possible with the person against whom there is a complaint** whenever possible. If a problem remains unresolved, the individual should submit a formal complaint (**exhibit Complaint Form add link**) as early as possible in accordance with appropriate district procedures. District procedures shall be readily accessible to the public.

Individual School Board members do not have authority to resolve complaints. If approached directly with a complaint, however, School Board members should listen to the complaint and show their concern by referring the complainant to the Superintendent or designee so that the problem may receive proper consideration.

(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 and Early Development 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 - 06.580](#) Violations; Prohibition Against Sex Discrimination

[4 AAC 52.500 - 52.629](#) Procedural Safeguards; Education for Exceptional Children

TITLE VI, CIVIL RIGHTS ACT OF 1964

TITLE VII, CIVIL RIGHTS ACT OF 1964, [42 U.S.C. 2000](#) et. seq. (Ch. 21)

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](#)



KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

COMPLAINT FORM

(Note: You may use this citizen's complaint process to address complaints against any KGBSD employee, policy, practice or procedure, including rights protected under Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendment Act of 1972.)

Please complete this form, print it and mail it to the Superintendent's Office, 333 Schoenbar Road, Ketchikan, Alaska 99901, according to the instructions found below.

Name: _____

Address: _____

Telephone: _____

1. Who or what is your complaint against? _____

School/Department: _____

Position: _____

2. Has this been discussed with him/her: Yes No

Dates: _____

3. Has the complaint been discussed with the principal or supervisor? Yes No

Dates: _____

DESCRIPTION OF COMPLAINT: Please include all important information such as location, names, dates, who was present, and to whom it was reported. Please use additional paper if more space is needed.

What remedy or action do you suggest?

Signature: _____ Date: _____

Date Received by the District: _____

This form is not intended for emailing. After filling it out, please print it and mail to the Superintendent's Office according to the instructions below.

CITIZEN COMPLAINT FORM PROCEDURES

It is a fundamental constitutional right to have freedom of expression, including criticism of public agencies and their employees. Public employees are also entitled to various rights including the right to the protection of due process of law. In order to satisfy any conflicting rights, the following procedures are established by the Ketchikan Gateway Borough School District for processing complaints against employees or employee practices of the school district.

Most complaints can be resolved by informal discussions between the complainant and the employee or the employee's principal/supervisor. This formal complaint process is reserved for complaints which are not resolved after the informal process has been attempted and must be filed no later than 30 days of the incident. If the incident occurs at the end of the school year, the formal complaint must be filed by June 30 of the current school year. For extenuating circumstances, the deadline may be extended. Even when this formal complaint procedure is initiated, efforts may occur at any point to accomplish satisfactory informal resolution. In no case, is there to be retaliation from either party.

**Directions for processing complaints against employees, policies, practices, and procedures
of the Ketchikan Gateway Borough School District:**

1. A person lodging a complaint against a district employee or employee practices should meet with the principal or supervisor of the employee to discuss the problem in an attempt to reach a solution.
2. Any person who is dissatisfied with the result of such a meeting may wish to complete a Citizen Complaint Form.
3. Send the form to the Superintendent's office, 333 Schoenbar Road, Ketchikan, Alaska 99901 (telephone - 907-247-2109). A letter of receipt stating who will be working with you to resolve this complaint and their contact numbers will be sent to you.
4. A copy of the complaint form will be provided to the employee against whom the charge is made with a request that the employee respond in writing to the appropriate administrator within 10 working days of receipt of complaint. The employee shall cooperate in resolving the complaint.
5. If the complaint is not resolved at the building or department level, the appropriate central office administrator will review the complaint and related material, interview parties, and submit findings and recommendations to the superintendent.
6. The superintendent or designee will notify the person filing the complaint and employee in writing of the final determination. A final decision will be issued in a timely manner, not to exceed 45 working days, after the filing of the formal complaint.
7. Employees impacted by use of the Citizen Complaint Form may choose to exercise rights given them by law or by employment agreement. Both the employees and the complaining party may have representation of their choice throughout the process.
8. If the concern is one of equity, the district recognizes the right of the complainant to file a complaint with the Commissioner of Education or other appropriate agencies.
9. At any point after the complaint process has been initiated, if the person filing the complaint indicates a desire to pursue formal litigation, or does in fact file suit, the district's citizen's complaint process will be terminated. The district will then turn the matter over to district counsel.

The following information is listed neither to encourage nor discourage the filing of a complaint. Rather, it is intended to inform you of the possible outcomes of a formal complaint proceeding:

- I understand that the school district may request additional information from me regarding this matter, and I agree that I will provide such information as is available to me.
- I understand that while my requested resolution of this matter will be carefully considered, the responsibility for selecting action taken may ultimately be more or less severe than the remedy I have proposed. In serious situations, the information contained in this complaint may be used among other things as a basis for termination of an employee.
- If the complaint is directed toward actions of an employee, I understand that the school district will give a copy of this complaint to the individual(s) about whom I have complained. The person will be given the opportunity to respond to this complaint. I will be provided with a copy of any written response.
- I understand that I may request to withdraw this complaint at any time. However, in the event that the school district views the matters raised in this complaint as being sufficiently serious, the school district may pursue this matter despite my desire not to proceed. I also understand that if any judicial proceeding arises from the matters which I have raised in this complaint, both the person I have complained about and I would be entitled to all the rights and protections available in such judicial proceedings.



KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

Student Grievance Form

1. Name of student: _____

2. Email address: _____

3. Phone: _____

4. Name of person(s) the complaint is about: _____

5. Date of incident(s): _____

6. Nature of incident(s):

- Bullying Teasing Verbal Argument Fight Cyber-bullying
 Verbal Harassment Physical Harassment Sexual Harassment Other

7. Have you shared your concern with any school teacher or adult? Yes No
Teacher _____ Other Adult: _____

8. Have you shared your concern with any school principal? Yes No
School _____ Principal: _____

9. Please describe your concern(s) in the space provided. You may provide additional information or attachments, as necessary.

10. What remedy or action do you suggest? _____

11. Has a parent been notified about this report? Yes No