

## **JII—Student Concerns, Complaints, and Grievances**

### **Establishment of Procedures**

The Administrator, or designee, is directed to establish procedures whereby students may present a complaint or grievance regarding a violation of their constitutional rights, equal access to programs, discrimination, harassment, intimidation, bullying or personal safety provided that:

- The topic is not the subject of disciplinary or other proceedings under other policies and regulations of this School, and
- The procedure shall not apply to any matter for which the method of review is prescribed by law, or the Governing Board is without authority to act.

Where disciplinary action is necessary pursuant to any part of this policy, relevant School policies shall be followed. Any question concerning whether the complaint/grievance falls within this policy shall be determined by the Administrator.

### **Complaint or Grievance**

A complaint/grievance may be raised regarding one (1) or more of the following:

- Violation of the student's constitutional rights.
- Denial of an equal opportunity to participate in any program or activity for which the student qualifies not related to the student's individual capabilities.
- Discriminatory treatment on the basis of race, color, religion, sex, age, national origin, or disability.
- Harassment of the student by another person.
- Intimidation by another student.
- Bullying by another student; i.e., teased in a nasty way, called names (may also have a derogatory nickname), taunted, belittled, ridiculed, intimidated, degraded, threatened, given orders, dominated, (or) subdued; bruises, torn clothing, or injuries that can't be easily explained, or who often has his or her belongings, taken or damaged, may be being bullied.
- Concern for the student's personal safety.

The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint/grievance. The complaint/grievance shall be made only to an administrator or other staff member. That person shall elicit from the student the particulars determined by the Administrator to be necessary for the complaint/grievance to be investigated. When the initial allegation is submitted in a manner other than on the prescribed form, the particulars of the complaint/grievance must be written on the form as immediately as possible after receipt of the complaint/grievance. The staff member may assist the student in completing the complaint/grievance form. The student should sign and date the form; however, unsigned forms are to be processed in the same manner as a signed form.

When the staff member is other than the school administrator, it shall be the responsibility of the staff member to inform a school administrator as soon as feasible,

but not later than the next school day following the day that the staff member receives the complaint/grievance. If the school administrator is included in the allegation, the complaint/grievance shall be transmitted to the next higher administrative supervisor. A failure by the staff member to timely inform the school administrator or next higher administrative supervisor of the allegation may subject the staff member to disciplinary action. The staff member shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

A parent or guardian may initiate the complaint process on behalf of the student. A parent or guardian who wishes to complain should do so by completing the forms following Policy KE on Public Concerns and Complaints.

### **Withdrawal of Complaint/Grievance**

A complaint/grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident. False or unproven complaint documentation about harassment, intimidation, or bullying shall not be maintained, unless used to document a pattern of behavior involving the complainant.

### **Retaliation**

Retaliatory or intimidating acts against any student who has made a complaint under this policy and its corresponding regulations, or against a student who has testified, assisted or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for a separate complaint.

### **Notice of Policy**

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously and shall be made a part of the rights and responsibilities section of the student handbook. Forms for submitting complaints are to be available to students and staff in the school offices.

### **Submittal of False Report**

Knowingly submitting a false report under this policy shall subject the student to discipline up to and including suspension or expulsion.

<i>References</i>	<i>AC—Nondiscrimination/Equal Opportunity</i>
	<i>ACA—Sexual Harassment</i>
	<i>JB—Equal Educational Opportunities</i>
	<i>JIC—Student Conduct</i>
	<i>JICFA—Hazing</i>
	<i>JICL—Bullying</i>
	<i>JK—Student Discipline</i>
	<i>JKD—Student Suspension</i>
	<i>JKE—Expulsion of Students</i>
	<i>KE—Public Concerns and Complaints</i>