

1 **Browning Public Schools**

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3 Policy -----

4 Policy Name: *Student Grievance Process*

5 **Regulation:** 3205R

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7 The Board of Trustees supports creating a school environment that is free from discrimination and affords students
8 and their families an opportunity for due process. The grievance process provides the Superintendent and Trustees
9 with opportunities to identify barriers to a discrimination free learning and working environment in our schools.
10 The appeal process facilitates identifying inconsistencies in practice and interpretation of the Board of Trustee’s
11 policy.

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13 **Public Notice of Process**

14 In order to address potential concerns, the Superintendent shall identify a Title IX and Section 504 Coordinators for
15 the District. District coordinators and building-based representatives will be identified in Student Handbooks
16 annually. The grievance and the appeal process will be included in district policy and Student Handbooks.

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18 **Grievance Process**

19 A grievance/**appeal** will consist of any complaint alleging discrimination.

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21 **Level 1: Informal Resolution**

22 The grievant is encouraged to promptly discuss the concern with the teacher, counselor, Principal or building
23 administrator with whom the issue could be resolved informally. However, in the case of alleged sexual harassment,
24 the matter should be discussed with the first line administrator that is not involved in the alleged harassment. ~~This
25 level is optional.~~

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27 **Level 2: Superintendent/Designee**

28 If the complaint is not resolved at Level 1, the grievant may file a written grievance stating:

- 29 1. The nature of the grievance.
30 2. The remedy requested.
31 3. Signature and Date

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33 The Level 2 grievance shall be filed within 60 days of the event or incident, or from the date the grievant could
34 have reasonably become aware of the occurrence. The District may investigate and take action when a student
35 refuses or is unable to file a written grievance.

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37 The Superintendent or Designee has the authority to investigate all grievances and if possible will resolve the
38 grievance. A written report regarding the investigation shall include the following:

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40 1. Clear statement of the allegations of the grievance and the remedy sought by the grievant.
41 2. Statement of the facts as contended by each of the parties.
42 3. Statement of the facts as found by the Superintendent or Designee and identification of evidence to support
43 each fact.
44 4. List of witnesses interviewed and documents reviewed during the investigation.
45 5. Narrative describing attempts to resolve the grievance.
46 6. Superintendent concludes as to whether the allegations in the grievance are with merit.

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48 The Superintendent or Designee will complete the investigation and file the report within thirty (30) days after
49 receipt of the written grievance. The Superintendent or Designee will provide a copy of the report to the grievant.

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51 The Superintendent or Designee may appoint an outside investigator.

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1 **Level 3: The Board of Trustees**

2 If the Superintendent rejects the recommendation, and/or either party is not satisfied with the recommendations
3 from Level 2, either party may make a written appeal within 15 days of receiving the report to the Board of Trustees
4 for a full contested case hearing. On receipt of the written appeal, the matter shall be placed on the agenda of the
5 Board of Trustees for consideration not later than their next regularly scheduled meeting. A decision shall be made
6 and reported to all parties within thirty (30) days of that meeting. The decision of the Board of Trustees will be
7 final, unless appealed within the period provided by law.
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9 **Level 4: The County Superintendent**

10 If the case falls within the jurisdiction of the County Superintendent of Schools, the decision of the Board of Trustees
11 may be appealed to the County Superintendent by filing a written appeal within thirty (30) days after the final
12 decision pursuant to the Rules of School Controversy (10.6.103, et seq. ARM).
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19 **Cross Reference:** #3002 Student Handbook Policy
20 #2112 Duties of the Superintendent
21 #1240 Member Authority/Responsibility
22 #3000 Equal Education Nondiscrimination
23 #3205 Sexual Harassment/Intimidation
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25 **Legal Reference:** 20-USC-24.9.1001-1011 Sex Discrimination in Education
26 10.6.103, et seq. ARM Rules of School Controversy
27 MCA 20-5-201 Appeals by Pupil or Pupil's Parent or Guardian
28 MCA 20-3-210 Controversy Appeals and Hearings
29 MCA 20-3-324 Powers and Duties (Trustees)
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32 **Policy History:**

33 Adopted on: 3/00

34 Revised on: 7/27/05, 7/12/16, 7/25/19
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