

POLICY FOR PROCESSING PUBLIC COMPLAINTS

1. The Board recognizes that parents/guardians have the right and the responsibility to represent their children, and that other citizens may have an interest in commenting on public education. Therefore, it is the obligation of the employees of the District to respond to the questions and concerns of the parents/guardians or the public.
2. The Board of School Trustees welcomes constructive ~~criticism of~~ feedback about the Lyon County School District intended to improve the quality of the educational programs and related services by encouraging parent/guardian and citizen ~~participation~~ advocacy, while protecting the rights of ~~the~~ District employees and students.
3. The Board as a governmental employer directs that District action relating to concerns against employees of the District fully comply with the procedures of NRS Chapter 391, the Negotiated Agreements, and the policies and regulations of the District which ensure due process ~~of law~~.
4. In order to avoid potentially litigious situations, both District employees and concerned citizens should exercise discretion in discussing matters that may prove to be potentially libelous or slanderous in nature. A false statement of misconduct may be legally actionable if the maker of the statement knew it was false or if the maker recklessly makes the statement ~~without adequate investigation to determine the truth or falsity of the allegation~~.
5. Any concern that deals with employees or students made directly to the Board of School Trustees or any individual member of the Board shall be referred to the Superintendent. Any matter brought to the attention of the Superintendent or other District official shall be referred to the ~~A~~ administrator or manager/supervisor with responsibility for the matter and who shall address the concern.
6. This policy is not intended to constitute a complaint procedure for employees or their associations nor is it intended, for allegations of ~~bullying, harassment, intimidation or discrimination~~ prohibited conduct/behavior(s) of students/staff or other areas which are covered by specific ~~D~~istrict ~~P~~olicies which provide for a separate complaint and investigation procedure (see policy ~~ies~~ JFCC, GBBC, and GL respectively or contact a District official for assistance).
7. Employee and student discipline proceedings are ~~a personnel~~ confidential matters and are not a topic for public discussion. Disciplinary action, if any, is also a confidential matter ~~between the employee and the supervising Administrator~~ and will not be made public. In a like manner, concerns expressed by the community should be kept in confidence and the names of students,

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employees, parents/guardians, and the circumstances of the concern shall not be discussed with individuals not directly involved in the concern.

8. Any student disciplinary action to be taken as a the result of the a substantiated complaint process shall follow appropriate due process and confidentiality guidelines in protecting student rights will be addressed in accordance with LCSD Board Policy JG.

9. Informal complaints by parents/guardians about employees (i.e. teachers) covered by the Lyon County Education Association Collective Bargaining Agreement (LCEA CBA) and their student requires that the parent/guardian meet with the employee and administrator within 3 working days of the complaint to cooperatively resolve the problem.

10. District officials will thoroughly investigate all valid complaints of prohibited conduct/behavior that are founded in actual, common, or constructive knowledge that would lead a reasonable person to believe that the prohibited conduct/behavior occurred. In other words, complaints against employees or students will only be investigated if they are based on factual information and not merely rumor, hearsay, opinion, perception, etc. Therefore, vexatious and/or repeated complaints will not be investigated by District officials when they are dismissed using this standard.

- A. A complaint shall be deemed vexatious if it is determined to have been made maliciously, frivolously, or without reasonable grounds; or if it is intended to harass, annoy, or otherwise subject the individual to unnecessary investigation or discipline.
- B. A complaint shall be deemed repeated if it contains substantially the same allegations or facts as a prior complaint that has already been investigated and resolved or dismissed.
- C. An employee or student about whom a complaint has been filed may submit evidence within 2 days of receiving the complaint asserting that the complaint is vexatious and/or repeated.
- D. Any complaint against an employee or student that is deemed by District officials to be vexatious and/or repeated will not be investigated.
- E. No employee or student shall suffer adverse consequences for asserting that a complaint is vexatious and/or repeated, or for requesting that it be dismissed.
- F. If a complaint is dismissed as vexatious or repeated, no record of the complaint will be maintained in the employee's personnel file or the student's education record. Further, the dismissed complaint may not be used or based in any future disciplinary proceedings.

11. If a complaint is dismissed, District officials will inform the complainant in writing regarding the dismissal of their complaint and the reasons that warrant the dismissal.

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Revised 12/18/18 8/26/25

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PROCEDURE

PROCESSING PUBLIC COMPLAINTS - ADMINISTRATIVE REGULATIONS

The following regulations and procedures are established to ensure that parent/guardian and individual citizen's formal complaints will be given serious attention by Lyon County School District administration. The rights of the complainant as well as students and school personnel are to be protected. Although confidentiality will be honored so far as laws and policy require, it cannot be guaranteed. Reprisal or retaliation, in any form, by any involved party shall not be tolerated.

1. ~~It is vital~~ Every effort will be made to first resolve concerns at the lowest levels. Therefore, the complainant should make a reasonable effort to resolve the problem with those directly involved before filing a formal complaint. If the complaint remains unresolved, the complainant shall be provided a copy of this policy and advised of the next step in the procedure.

2. If the complaint initially is made, by phone or in person, to the school site administrator, ~~he/she~~ they shall:

~~1A)~~ send/give a complaint form to the complainant to be filled out in writing and returned to the administrator within 10 days;

~~2B)~~ inform those involved and/or named in the complaint by providing them a copy of the complaint.

~~If at all possible, the~~ The administrator shall attempt to arrange a meeting within 10 ~~school~~ working days with the complainant and school personnel who may contribute to the resolution of the complaint. (NOTE: within 3 working days if the complaint is informal and the school personnel is covered by the LCEA CBA).

If the complaint concerns ~~itself with purported activity of~~ a student who is not a child of the complainant, the administrator shall follow student due process and confidentiality guidelines in addressing the complaint with the student and ~~his/her~~ their parent/guardian.

3. If, upon receipt of a formal written complaint, the administrator determines the complaint focuses on an issue, directive or policy above site level responsibility, ~~he/she~~ they shall refer the complaint to the appropriate District level administrator for review/action.

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4. If the complaint has been ~~dealt with~~ addressed at the school site and the complainant ~~disagrees~~ is not satisfied with the actions taken and/or proposed resolutions, the complaint may be referred to the Deputy Superintendent. The Deputy Superintendent may handle the complaint personally or refer it to other appropriate District level administration. The formal written complaint shall be reviewed ~~responded to in writing~~ within ~~ten~~ 10 working days. If necessary, the Deputy Superintendent will meet with the administrator, complainant, and other applicable individuals in an attempt to resolve the matter within 10 more working days. The Deputy Superintendent's decision will be provided in writing within 10 working days following the review or meeting.
5. If the complainant ~~continues to disagree~~ remains dissatisfied after having gone through the aforementioned process, ~~he/she~~ they may request the Superintendent review the complaint and resolution documentation. The Superintendent shall respond in writing to the written complaint within ~~ten~~ 10 working days from receiving the request to review the complaint.
6. If the complainant believes the complaint is not satisfactorily resolved by the Superintendent, ~~he/she~~ they may register the complaint, in writing, with the Board of Trustees setting forth the facts upon which it has been based, how the matter has been handled to this point and the relief sought by the complainant. The Board, at a regular or special meeting (in a closed session if required by NRS 241 et al), shall then review and address the complaint. Those who were a part of the complaint process must be duly notified as to this meeting and shall be afforded the opportunity to present testimony and evidence. The decision of the Board, which is final, shall be communicated to all involved parties in writing.

Appendix A

LYON COUNTY SCHOOL DISTRICT
PUBLIC COMPLAINT FORM

Name of complainant: _____

Mailing address: _____

Phone number: _____ Email address: _____

Date of complaint: _____

Please list/indicate what steps you have taken to resolve the concern. If you have not attempted to resolve this issue with the teacher/employee and school principal administrator, if appropriate, please do so before using this form.

I have spoken to addressed the issue with the teacher/employee on: _____
Date by (describe the action taken):

I have spoken to addressed the issue with the principal/supervisor on: _____
Date by (describe the action taken):

Explanation of complaint: _____

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Relief Requested or Proposed Resolution:

Complainant's Printed Name

Complainant's Signature

***THIS FORM MUST BE RETURNED TO THE SITE ADMINISTRATOR OR DISTRICT
OFFICIAL WITHIN TEN DAYS***

ADDITIONAL PAGES AND/OR EVIDENCE MAY BE ATTACHED

Appendix B

COMPLAINT FORM ACTION

Complaint Form received by: _____ Date: _____

Complaint Form reviewed by: _____ Date: _____

Complaint investigate by (if applicable): _____ Date: _____

_____ Date: _____

_____ Date: _____

_____ Date: _____

Review/Investigation Report sent by: _____ Date: _____

Date: _____

Date: _____

Date: _____

Additional information/comments: _____

