

FOUNDATIONS AND BASIC COMMITMENTS

RESOLUTION OF DISCRIMINATION COMPLAINTS

DEFINITIONS

“Board” means the Board of Trustees of the district.

“District” means the school district.

“Days” means calendar days.

“Employee” means a person who is a full or part-time employee, not engaged as temporary or casual labor, and who is on the payroll of the district.

A “complaint” is an allegation of action or inaction by the district in violation of the district’s policy on non-discrimination.

“Student” means a person enrolled in one of the school operated by the district.

“Superintendent” means the superintendent of school or designee.

PROCEDURE

All complaints brought by students or employees will be handled in the following manner:

Step One – Informal

STUDENTS: Within fifteen days of the time that the student knew, or reasonably should have known of the complaint, the student will present a completed written complaint report form to the building principal who will expeditiously appoint three persons to meet and discuss the complaint with the student, and send a copy of the complaint to the building principal. Within five days of the completion of such discussion, the student may submit the written complaint to the building principal. If the building principal desires a conference with the student, the student may request that one of the above three appointees be present for the discussion. Within ten days after presentation of the complaint, the building principal will respond in writing. This section will not prohibit an informal oral discussion of a concern or problem between the student and the building principal.

EMPLOYEES: Within ten days of the time that the employee knew, or reasonably should have known of the complaint, the employee will present the complaint orally to the employee's immediate supervisor. Within ten days after presentation of the complaint, the immediate supervisor will orally answer the complaint.

Step Two – The Responsible Official

Within five days of the oral or written response, if the complaint is not resolved, it will be stated in writing, signed by the student or employee and submitted to the superintendent on the form provided by administrative regulation issued by the superintendent.

The complaint report will (1) name the employee or student involved, (2) state the facts giving rise to the complaint, (3) identify the specific provisions of policy alleged to be violated, and (4) indicate the specific relief requested.

Within five days after receiving the written complaint, the superintendent will make a determination in writing to the student or employee.

Step Three – The Board

If the complaint is not resolved in step two, the student or employee may, within five days of receipt of the superintendent's determination appeal to the board, file with the office of the superintendent, the complaint and the superintendent's response, along with any written response of his or her own of the superintendent. At this time the superintendent's office shall give notice of receipt.

Within sixty calendar days after receipt of the appeal of the superintendent's determination to the student or employee, the board will give its decision in writing to the student or employee. Such decision will be final and binding.

For any Civil Rights Child Nutrition Program complaints, the student/parent may file by writing a letter, submitting a complaint form (available at the superintendent's office) or providing verbal notice to the sponsor, USDA or Wyoming Department of Education in person or by telephone. When complaints are registered with the USDA or WDE, the appropriate agency will investigate the incident. When complaints are returned to the sponsor, the sponsor will forward them to the WDE or USDA within five working days of receipt of the complaint.

FAILURE TO OBSERVE TIME LIMITS

In the event the student or employee fails to exhaust the remedies under the complaint procedure provided above, or to abide by the time limits with respect to each step, the complaint will be presumed to be abandoned and the matter will be settled in accordance with the last response. In the event the district fails to give its response at any step within the limits prescribed, the student or employee will have the right to proceed immediately to the next step within the prescribed time limits. Any time limit may be extended by written mutual agreement of the student or employee and the superintendent.

EFFECT OF SETTLEMENT

Any settlement of a complaint will be applicable to that complaint only and will not be binding authority for the disposition of any other complaint.

