

FEDERAL PROGRAMS POLICY
AND COMPLAINT PROCEDURE
WITH RESPECT TO FEDERAL PROGRAMS

POLICY: The Montrose School District will not discriminate, in any of its policies and programs, on the basis of age, race, color, creed, national origin, ancestry, religion, sex or disability and will not violate any of the provisions of applicable federal programs, statutes or regulations (e.g., Title IX, Chapter I, Rehabilitation Act Section 504, Americans with Disabilities Act, Title I, NCLB, etc).

In compliance with applicable federal laws and regulations, the Montrose School District Board of Education has appointed the Superintendent of Schools to coordinate District programs and compliance with federal mandates prohibiting discrimination. The superintendent can be reached at the Montrose School District, Montrose, South Dakota, by calling (605)363-5025.

GRIEVANCE PROCEDURE:

Definitions

- A. A complaint is a valid concern by a student, parent or other patron of the District, employee, employee representatives or other concerned groups or advisory organizations based upon or concerning an alleged violation, misinterpretation or inequitable application of any existing policy, rule, regulation or program of the school district, state or federal statutes/regulations, regarding discrimination or concerning violations relating to federal programs.
- B. An aggrieved person is the individual making the claim.
- C. Days shall mean calendar days. Time frames may be extended upon written mutual agreement.

I. Informal Procedure

Any person wishing to pursue the filing of a complaint grievance should first utilize normal channels of communication involving the teacher, administrator or board in an attempt to seek clarification of areas of concern and resolve the problem.

II. Formal Procedure

A. Level One

- 1. If there is not resolution at the informal level or should the aggrieved person not attempt to resolve the concern at the informal level, a written complaint should be filed within a reasonable time period after the aggrieved person knew or should have known, of the act or condition on which the complaint is based. The written complaint must include the facts, including but not limited to, the date, time, location, persons involved and concern giving rise to the complaint. The written complaint must also include the specific remedy requested.
- 2. The aggrieved person shall file the formal complaint in writing with the Superintendent (i.e., the designated federal programs coordinator).

3. The Superintendent or his/her designee shall respond in writing to the complaint within 15 days. If the aggrieved person is not satisfied with superintendent's disposition of the complaint the aggrieved person may appeal the decision to Level II.

B. Level II

1. If the aggrieved person is not satisfied with the disposition at Level I, he or she may appeal that decision by filing in writing with the business manager an appeal within 10 days or the receipt of the decision at Level I.

2. The notice of appeal shall include a copy of the Level I decision and with specific statement(s) or reason(s) why the Level I decision is being appealed (i.e., how or why the Level I decision is wrong).

3. At its next regular meeting, the board or its designated agent shall acknowledge receipt of the complaint the grievance and may (A) schedule a time for a hearing before the Board, or (B) may designate an individual or committee to investigate the grievance and to report to the Board, or (2) may schedule a hearing on the complaint before the Board.

4. At any hearing before the Board, the aggrieved person shall have the opportunity to present evidence, including an opportunity to question parties involved, The standards of Due Process shall be adhered to and the Rules of Evidence shall be applicable to the degree necessary and appropriate for an orderly hearing and production of facts and evidence necessary for the Board to make an informed decision.

5. The Board shall make a final decision within thirty days of the hearing before the Board and the decision shall be in writing with a copy of the same provided to the aggrieved person.

6. If the aggrieved person is not satisfied with the disposition of the Complaint by the Board, he/she may appeal the decision of the board as provided for in law (and to the South Dakota Department of Education if applicable).

Adoption Date: June 8, 2009

Amended: June 14, 2010