



**Responsible Office:** Office of the General Counsel

## **BOARD POLICY 1600**

### **PUBLIC COMPLAINT AND RESOLUTION PROCEDURE**

#### **PURPOSE**

The Board of Trustees ("Board") welcomes constructive criticism of the Washoe County School District ("District" or "WCSD") intended to improve the quality of the educational program and related services by encouraging parent/guardian and citizen participation while protecting the rights of District employee(s). The Board recognizes that parents/guardians have the right and the responsibility to represent their children, and that other citizens have an interest in commenting on public education and the operation of the District. This policy and the associated governing documents establishes the procedures for members of the public to express and resolve concerns and/or complaints with the services of the District.

#### **POLICY**

##### **1. Governing Principles**

- a. It is the intention of the District that all complaints will be handled in an equitable, prompt, objective and constructive manner.
- b. The District encourages the response to inquiries and complaints from the public to occur at the school or lowest possible administrative level and by an informal process of cooperative agreement among affected parties. Formal steps for resolving complaints should only be used after informal approaches have been unsuccessful in resolving the complaint.

##### **2. Governing Practices**

- a. Administrative Regulation 1601, Public Complaint Response and Resolution Process, describes the District's procedures for responding to concerns and/or complaints from members of the public, for encouraging informal resolution of such complaints whenever possible, and for the appeal of administrative decisions involving such complaints.
- b. When receiving a complaint from a member of the public, members of the Board of Trustees shall refer complaints to the Superintendent or the appropriate designee, generally the Chief of Staff and Board Services

Department. Individual Board members do not have the authority to resolve complaints.

- c. All complaints will be kept confidential to the extent possible and in compliance with the policies of the District and all state and federal laws.
  - i. Any disciplinary action that the District may take against any individual is considered confidential and shall not be disclosed to the Complainant.
  - ii. District action relating to complaints against employees of the District shall comply with Nevada state law, the collective bargaining agreements between the District and the employee associations or the applicable employee handbooks, and the policies and regulations of the District.
- d. The District shall inform students, parents/guardians, faculty/staff, and other interested parties of the complaints and resolution process, to include this policy and any associated documents. Such notice shall include posting to the District's website ([www.washoeschools.net](http://www.washoeschools.net)) and the parent/student handbook.
- e. No member of the Board of Trustees or any District employee shall unlawfully retaliate against an individual for bringing a concern or complaint. The Board of Trustees prohibits retaliation in any form for participation in complaint procedures, including but not limited to the filing of a complaint or participating as a witness in an investigation. Participation shall not in any way have a detrimental effect on the complainant or witness to the complaint to include, but not limited to, his/her status, grades or work assignments.
- f. This policy is not intended to address staff or student complaints, to include those related to:
  - i. Student Discipline, Attendance and Extra- and Co-Curricular Activities;
  - ii. Student allegations of bullying, harassment or discrimination;
  - iii. Student allegations of discrimination based on disability;
  - iv. Staff allegations of bullying, harassment or discrimination; and
  - v. Employee grievances.

## **DEFINITIONS**

1. A complaint is an issue brought forth by an individual.
  - a. The person who files an accusation or complaint is referred to as the “complainant.”
  - b. “Respondent” refers to the party who is the subject of or answers to the complaint.

## **DESIRED OUTCOMES**

1. This policy shall ensure a fair, consistent and equitable process for the resolution of complaints with the Washoe County School District.

## **IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS**

1. This policy reflects the goals of the District’s Strategic Plan and aligns/complies with the governing documents of the District, to include:
  - a. Administrative Regulation 1601, Public Complaint Resolution Procedure, and Complaint Form
  - b. Board Policy 9201, Bullying, Harassment and Discrimination Prohibited
  - c. Board Policy 9205, Safe and Respectful Learning Environment
  - d. Board Policy 9051, Board Conduct, Ethics and Operational Protocols
  - e. Administrative Regulation 5160, Bullying, Discrimination, and Harassment of Students Prohibited, and Complaint Form
  - f. Board Policy 4111, Equal Opportunity in Employment Complaint Procedure, and the associated Administrative Regulation
  - g. Administrative Regulation 4425 Staff Complaint Process: Harassment, Sexual Harassment and Intimidation
  - h. Negotiated Agreements Between the District and the Employee Associations
2. This policy complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
  - a. Chapter 241,
    - i. NRS 241.030, Exceptions to requirement for open and public meetings; waiver of closure of meeting by certain persons.
  - b. Chapter 392, Pupils, and specifically:
    - i. NRS 392.025, Grade given to pupil by teacher: Restriction on change by board of trustees
    - ii. NRS 392.040 – 392.220, Attendance

- iii. NRS 392.4655 – 392.4675, Habitual Discipline Problem; Suspension and Expulsion
  - c. Chapter 613, Employment Practices
3. This policy complies with federal laws and regulations, to include:
- a. Section 504 of the Rehabilitation Act of 1973. 29 U.S.C. 794; 34 CFR 104.7(b)
  - b. Title 28, Part 35 (Americans with Disabilities Act regulations). 28 CFR 35.107

### **REVIEW AND REPORTING**

- 1. This document shall be reviewed as part of the bi-annual review and reporting process, following each regular session of the Nevada Legislature. The Board of Trustees shall receive notification of any required changes to the policy as well as an audit of the accompanying governing documents.
- 2. Administrative regulations, and/or other associated documents, will be developed as necessary to implement this policy.

### **REVISION HISTORY**

Date	Revision	Modification
12-03-1966	1.0	Adopted
1-14-1992	2.0	Revised
6-28-1994	3.0	Revised
9-09-1997	4.0	Revised
6-26-2007	5.0	Revised
12-05-2012	5.1	Addition of NRS citation to Implementation Guidelines
6-23-2015	6.0	Revised
6-06-2017	7.0	Revised to separate student and staff discrimination complaints