



# **Administrative Regulation 1601 PUBLIC COMPLAINT AND RESOLUTION PROCEDURE**

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

## **PURPOSE**

The Washoe County School District (District) Superintendent adopts this Administrative Regulation pursuant to the Board of Trustees (Board) directive contained in Board Policy 1600 to establish procedures for District parents/legal guardians and other members of the public to submit and resolve public complaints regarding District services.

## **REGULATION**

### 1. Scope of Public Complaints

- a. The District's Public Complaint Process enables parents/guardians and other members of our District community to bring general concerns or complaints (issue) about District services to the District in order to have the issue answered or resolved at the lowest administrative level possible.
- b. The District's Public Complaint Process is to assist individuals with general issues that are not governed by another District resolution process.
- c. At any level during the Public Complaint Process, it becomes known to the District that there is a specific resolution process regarding the substance of the issue; the District may direct the individual to the appropriate resolution process and close the Public Complaint Process.

### 2. Informal Resolution Process

- a. Individuals must first attempt to resolve an issue through the Informal Resolution Process. Individuals filing a Formal Written Complaint before attempting the Informal Resolution Process will be directed back to the Informal Resolution Process.
- b. Individuals should first discuss the issue directly with the employee involved if the individual is comfortable speaking with the employee.
- c. If the issue cannot be resolved with the employee, the individual should present the issue to the building principal, supervisor, or designated site administrator in a timely manner.

- d. The informal complaint resolution process may occur via telephone call, written communication, or face-to-face conference.
- e. If an individual is unable to resolve an issue with a building principal, supervisor or designated site administrator, the individual may contact the Chief Ombudsman's Office for assistance with attempting to resolve the issue at the informal resolution level.
- f. If an individual's issue is not resolved through the steps above, the individual may file a Formal Written Complaint according to the process below.

### 3. Formal Resolution Process

- a. The Formal Resolution Process commences upon District receipt of a written complaint on the designated Public Complaint Form.
  - i. Anyone needing assistance in completing the Public Complaint Form may contact the Chief Ombudsman's Office.
- b. The written complaint must be filed within 30 calendar days from the date the Complainant first knew, or should have known, of the decision or action giving rise to the particular issues of the complaint or from the date the Informal Resolution Process ended.
- c. A written complaint should be filed with the lowest level administrator who has the authority to remedy the alleged issue and was not involved in the Informal Resolution Process.
- d. If the written complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator and notify the individual filing the written complaint of those actions.
  - i. In most circumstances, individuals should file written complaints with the applicable Area Superintendent at the Office of School Leadership. Area Superintendents shall not accept a formal written complaints unless the individual sought resolutions through the school principal, as appropriate.
- e. Written Complaint Review and Investigation Process. Upon receiving a written complaint, the administrator shall investigate the matter as follows:

- i. Within three days, notify the complainant in writing that the administrator received the written complaint.
- ii. Arrange a conference with the Complainant regarding the particulars of the written complaint within 20 days from receipt of the written complaint.
- iii. Question witnesses that may have personal knowledge or information regarding the particulars of the complaint, if any.
- iv. Provide the Complainant a written response/resolution within 20 days after receiving all information deemed necessary by the administrator.
- v. The administrator's written response/resolution must contain the following notice in closing: "In the event you are not satisfied with this response/resolution, you may file an appeal in accordance with District Administrative Regulation 1601 (4) Appeal."

#### 4. Appeal

- a. A complainant that is not satisfied with the administrator's written response/resolution at Informal Resolution Process may appeal that response/resolution by writing a request for an appeal to the Superintendent within 10 days from the day the complainant received the administrator's written response/resolution. The Superintendent or his/her designee will assign the matter to an Appeal Review Officer (ARO). The appeal **can only** be based on one or both of the following grounds:
  - i. Procedural error that significantly affected the outcome of the investigation (i.e., insufficient evidence to support findings, substantiated bias, material deviation from established procedures).
  - ii. To consider new evidence which was unknown or unavailable during the administrator's investigation and that could substantially impact the response/resolution. The appeal must include a summary of new evidence, why it was unavailable at the time of the investigation and its potential impact.
- b. The ARO shall notify the appellant in writing that the ARO received the appeal within five (5) days of receipt.
- c. Before considering the appeal, the ARO will determine whether the appeal is timely and raises one or more of the permissible grounds for appeal listed above.

- i. If the written appeal is not timely or does not raise one or more of the permissible grounds for appeal, the ARO will notify the appellant
    - ii. in writing, within five (5) days that the appeal is denied and the basis for the denial. This notification will be provided with the notification of receipt, above.
  - d. An appeal decision will be based on the following:
    - i. Unless there is a request to consider new evidence as grounds for an appeal, the ARO will limit the appeal review to the investigation record and process. The ARO has the discretion to schedule a conference with the appellant or others involved with the investigation as part of the file review.
    - ii. The ARO will decide whether to grant or deny the appeal based on the specific grounds for appeal.
    - iii. The ARO may also remand the matter back to the original investigator to consider new evidence.
  - e. The ARO shall review the file and issue a written Appeal Decision to the appellant within fifteen (15) days from the ARO's notification of receipt in 4. b. above.
  - f. The ARO shall provide copies of the written Appeal Decision to the administrators involved with the Informal Resolution Process.
- 5. Superintendent of Schools Resolution Process
  - a. Informal Resolution Process- Individuals with concerns regarding actions of Superintendent must first submit the concerns to the Superintendent in writing. The Superintendent has the discretion to determine whether the matter warrants a conference with the individual. After reviewing the individual's issues, the Superintendent will issue a written response/resolution to the individual as soon as practicable for the Superintendent.
  - b. Formal Resolution Process - If an individual is not satisfied with the Superintendent's written response/resolution, the individual may file a written formal complaint with the President of the Board of Trustees (Board President) as follows:
    - i. The individual(s) submitting the written complaint must sign it. The written complaint must contain the following information:

- 1) Complainant(s) name(s), mailing address, email address and telephone number;
  - 2) A description of the issue(s), including dates, times and what occurred;
  - 3) Names of people involved;
  - 4) Names of any witnesses;
  - 5) A description of what actions you have taken to resolve the issue, if any; and
  - 6) The requested resolution.
- ii. The Board President has the discretion to designate an investigator in order to discern the facts and circumstances of the matter.
  - iii. The Board President shall review the facts and circumstances of the matter and issue a written response/resolution to the complainant as soon as practicable. A copy of the written response/resolution letter shall be provided to the Superintendent.

#### 6. Additional Information

- a. Confidentiality – All complaints will be treated as confidential to the extent possible and in compliance with state and federal law. Any employee corrective actions that may be taken as a result of a Public Complaint are confidential and shall not be disclosed to the complainant.
- b. Time Limits – All time limits, as outlined in this administrative regulation, shall be strictly followed unless modified by mutual written consent between the District and a complainant.
- c. The Superintendent/designee may investigate any matter brought to his/her attention at any level during the process.
- d. Consolidating Complaints - Complaints arising out of an event or a series of related events should be addressed as one complaint and at the lowest supervisory level possible.

### **LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS**

1. This Board Policy reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
  - a. Board Policy 1600, Public Complaint and Resolution Procedure.

**REVISION HISTORY**

Date	Revision	Modification
12/3/1966	1.0	Adopted
1/14/1992	2.0	Revised
6/28/1994	3.0	Revised
9/9/1997	4.0	Revised
6/26/2007	5.0	Revised
9/4/2008	A (6.0)	Revised: Converted to CSI Procedure
10/01/2011	B (6.1)	Revised: changes to titles
4/21/2015	7.0	Converted to Administrative Regulation and revised
7/01/2015	8.0	Revised to add clarity to informal process, extend time limits
11/13/2015	9.0	Revised to remove accusations of staff or student bullying or discrimination; number change from 1312.
09/01/2021	10.0	Revised per Board Policy 1600 changes.