

**KSBA Complaint Resolution Process Form**

EXPLANATION: SB 5 CREATES A NEW SECTION OF KRS 158 TO REQUIRE THE BOARD TO ADOPT A COMPLAINT RESOLUTION POLICY FOR PARENTS OR GUARDIANS ALLEGING THAT MATERIAL, A PROGRAM, OR AN EVENT THAT IS “HARMFUL TO MINORS” HAS BEEN PROVIDED OR IS CURRENTLY AVAILABLE TO THEIR STUDENT ENROLLED IN THE DISTRICT.

FINANCIAL IMPLICATIONS: TIME SPENT INVESTIGATING, RESPONDING TO APPEALS, COST OF NEWSPAPER ADVERTISEMENT REGARDING FINAL OUTCOME

**NEW SECTION OF KRS 158**

STUDENTS

08.23 AP.21

**“Harmful to Minors” Complaint Resolution Process**

This parent or guardian complaint must be submitted in writing to the Principal of the school where the student is enrolled alleging that material, a program, or an event that is “harmful to minors” has been provided or is currently available to the child of the parent or guardian.

**“Harmful to minors” is defined in KRS 158.(new section #) and Policy 08.23.**

**COMPLAINANT (PARENT OR GUARDIAN)**

Complainant Name \_\_\_\_\_ Date \_\_\_\_\_

Home Address \_\_\_\_\_ Phone \_\_\_\_\_

Student Name(s) \_\_\_\_\_

Home Address \_\_\_\_\_ Phone \_\_\_\_\_

School \_\_\_\_\_ Grade Level \_\_\_\_\_

**COMPLAINT(S)**

A reasonably detailed description of the material, program, or event that is alleged to be “harmful to minors,” and how the material, program, or event is believed to be “harmful to minors.” (Use additional sheet if necessary.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
*Complainant’s Signature*

\_\_\_\_\_  
*Date*

**LEVEL ONE: SCHOOL PRINCIPAL NAME:** \_\_\_\_\_

Within seven (7) business days of receiving a written complaint, the Principal shall review the complaint and take reasonable steps to investigate the allegations in the complaint, including but not limited to reviewing the material, program, or event that is alleged to be “harmful to minors.”

Per new section of KRS 158, the Principal shall determine whether:

- The material, program, or event that is the subject of the complaint is “harmful to minors;”
- Student access to material that is the subject of the complaint shall remain, be restricted, or be removed;
- A program or event that is the subject of the complaint shall be eligible for future participation by students in the school.

**“Harmful to Minors” Complaint Resolution Process**

**COMPLAINT(S) (CONTINUED)**

Within ten (10) business days of receiving the complaint, unless another schedule is mutually agreed to by the parent or guardian and the Principal, the Principal shall confer with the parent or guardian and inform him or her whether the material, program, or event that is the subject of the complaint was determined to be “harmful to minors” and what the resolution will be.

**PRINCIPAL’S DETERMINATION (USE ADDITIONAL SHEET IF NECESSARY.)**

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\_\_\_\_\_ *Principal’s Signature* \_\_\_\_\_ *Date*

A parent or guardian not having filed the appeal may request in writing access to the appealed materials, programs, or events for review and shall abide by the school's and District's policies and procedures when requesting and reviewing such information.

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**LEVEL TWO: APPEAL OF THE PRINCIPAL’S DETERMINATION TO THE BOARD**

Complainant Name: \_\_\_\_\_

Date appeal received at this level \_\_\_\_\_

The parent or guardian shall make any appeal within ten (10) days. The appeal shall:

- Be subject to full administrative and substantive review by Board and shall not be delegated;
- Include an opportunity for the parent or guardian to provide input during public comment at a Board meeting;
- Be completed within thirty (30) calendar days of receiving the written appeal unless another time frame is mutually agreed upon by the parent or guardian and the Board; and
- Be discussed and voted on during a meeting of the Board subject to the open records and open meeting requirements under KRS Chapter 61.

**“Harmful to Minors” Complaint Resolution Process**

**LEVEL TWO: APPEAL OF THE PRINCIPAL’S DETERMINATION TO THE BOARD (CONTINUED)**  
(USE ADDITIONAL SHEET IF NECESSARY.)

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\_\_\_\_\_  
*Complainant’s Signature*

\_\_\_\_\_  
*Date*

The Board's final disposition of the appeal shall be made in writing and shall state whether the material, program, or event was determined to be “harmful to minors” and whether student access to the material will remain, be restricted, or be removed and whether the program or event shall be eligible for future participation by students in the school.

Within fifteen (15) business days from the date of a final disposition, the title of the material or a description of the program or event submitted for appeal, whether the material, program, or event was determined to be “harmful to minors,” whether student access to the material will remain, be restricted, or be removed or whether the program or event shall be eligible for future participation by students in the school, and the vote cast by each individual Board member shall:

- Be published on the website of the Board where it shall remain available for review; and
- Be published in the newspaper with the largest circulation in the county.

**BOARD’S FINAL DISPOSITION (USE ADDITIONAL SHEET IF NECESSARY.)**

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Board Member Name: \_\_\_\_\_ Vote: \_\_\_\_\_

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*Board Chair’s Signature*

\_\_\_\_\_  
*Date*