

PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL OR PROCEDURES

This policy provides direction for the District to process complaints about school personnel or procedures. For the process of hearing complaints about federally funded programs (including parents of students experiencing homelessness), see District Policy KLDF. Complaints involving identification of or provision of services to students receiving special education and related services are addressed pursuant to the special education rules of the South Dakota Department of Education. The School Board places trust in its employees and desires to support their actions in such a manner that employees are freed from unnecessary, spiteful or negative criticism and complaints.

Whenever a complaint is made directly to the School Board as a body, or to a Board member as an individual, it will be referred to the school administration.

*Procedures*

Constructive criticism of the schools will be welcomed by the Board when it is motivated by a sincere desire to improve the quality of the educational program or to equip the schools to do their tasks more effectively.

Whenever a complaint is made directly to the School Board as a whole or to an individual Board Member, the individual or group involved will be advised to obtain a complaint form from the District office and to follow the provisions of Board Policy.

The Board believes that complaints and grievances are best handled and resolved as close to their origin as possible, and that the staff should be given every opportunity to consider the issues and attempt to resolve the problem prior to the involvement by the School Board or administration. Therefore, the proper channeling of complaints involving instruction, discipline, will be as follows:

1. Teacher/classified employee
2. Director of Activities (as may apply)
3. Principal
4. Superintendent of Schools
5. School Board

The School Board expects the professional staff and all employees to receive complaints courteously and to make a proper reply to the complaint.

Matters referred to the superintendent and/or School Board must be in writing and should be specific in terms of the action desired.

Complaints involving the Board, its members or policies may be pursued through the state court system.

### *Complaint Resolution*

Whenever a complaint about a school employee or program is received by the administration from a patron of the district, a copy of the policy and procedure for the filing and resolution of the complaint shall be given to the patron.

#### Step 1:

The Patron will meet informally with the school employee in an effort to resolve the matter quickly at the lowest level possible. If the informal process is not satisfactory to the complainant, the matter will be reduced to writing on the District's complaint form (See File KLD-E) and submitted to the program supervisor to resolve the issue. If the issue is not resolved, the patron may submit it to the Principal. A copy of the complaint will be given to the employee by the Principal. The employee may respond in writing.

#### Step 2:

The Principal will meet with the patron and employee individually or jointly in an attempt to resolve the problem and conduct such other investigation as the Principal deems necessary. The Principal shall render his or her decision to both parties in writing within ten (10) working school days or less. If resolution is agreeable to the patron and the employee, the Principal's decision shall be delivered to the Superintendent. If no agreement is reached, either the Patron or the Employee may go to Step 3 provided notice is given to the Superintendent within five (5) working school days of receipt of the Principal's decision.

#### Step 3:

The complaint with the Principal's action and any information developed by the Principal's investigation will be given to the Superintendent. The Superintendent will meet with the patron, employee and Principal together or individually. The Superintendent shall conduct such further investigation as the Superintendent deems necessary. The Superintendent writes a decision within five (5) days of completing his or her investigation and notifies the patron, employee, and Principal. The Superintendent's decision may affirm, reverse or modify the Principal's decision. The patron or employee may within five (5) working school days go to Step 4 by notifying the Superintendent in writing of the desire to go to Step 4.

#### Step 4:

The School Board will consider the complaint while meeting in executive session. The Superintendent will provide the Board with the file packet, which contains the complaint, employee's response, Principal's decision and Superintendent's decision. The Board may affirm the Superintendent's decision upon the written record as it then exists. The Board may determine to conduct a formal hearing on the matter. At this hearing, the patron will explain the complaint, the Superintendent will explain the Administration's response. Any party to the hearing may call such witnesses as they deem necessary. The Board may summon such additional witnesses or documents as it deems necessary. All testimony or statements at this hearing shall be under oath and the parties shall be reminded that penalties for perjury can be imposed regarding testimony given under oath. The School Board will render its decision within thirty (30) days of the hearing, which

will be implemented by the Superintendent. The Patron or the Employee may appeal this decision within 90 days to the Circuit Court as per SDCL 13-46. All federal program complaints, shall be addressed under the Federal Program Complaint Procedure KLDF.

Adopted 12-12-88

Amended 8-23-93

Revised 2/2007

Revised 1-11-2010

Revised 4-11-11

WEST CENTRAL SCHOOL DISTRICT 49-7