

KEB - PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL

This policy is intended (1) to create a climate in the schools whereby persons are encouraged to bring complaints to the attention of school officials for resolution, and (2) to explain the responsibilities of school officials in handling complaints. The school board believes that constructive criticism, when it is motivated by a sincere desire to improve the quality of our educational programs, assists school personnel in performing their responsibilities more effectively. At the same time, the School Board places trust in its employees and desires to support their actions in such a manner that employees are not subjected to unnecessary, spiteful, or frivolous complaints.

Complaints about school employees will be referred to the proper school decision maker for resolution at the lowest possible level and in a manner that ensures that the facts are gathered, applicable due process rights are respected, and the privacy rights of personnel and students are honored. Any complaint presented to the Board as a whole or to individual Board members will be referred to the school administration so that the concern can be processed in accordance with this policy. The Board will not hear or review complaints until such complaints have been brought forth through the appropriate and applicable administrative channels and the Superintendent or designee has had a reasonable opportunity to consider and seek to resolve the complaint.

Steps in the Complaint Procedure

Step 1:

Generally, the first step in the complaint procedure is for the complainant to discuss the matter directly with the employee who is the subject of the complaint. If this is clearly inappropriate because of the nature or severity of the complaint, the person making the complaint may request a conference with the principal/immediate supervisor to discuss the complaint.

Step 2:

If a complaint cannot be resolved following a discussion with the employee, the person initiating the complaint may appeal to the employee's immediate supervisor. The principal/immediate supervisor or their designee will look into the complaint and respond to the person making the complaint.

Step 3:

If the complaint cannot be resolved at the supervisory level, it may be presented to the Superintendent. Before the Superintendent takes further action, the person requesting the Superintendent's review must submit the complaint in writing, setting forth the specific facts on which the complaint is based and attaching all documents in support of the complaint. The Superintendent will provide a copy of the written complaint to the person against whom the complaint is made.

Step 4:

If a complaint remains unresolved at the Superintendent's level, the person making the complaint may contact the School Board Chair to request that the matter be placed on the School Board's agenda. The School Board Chair, at their sole discretion, will determine whether the complaint will be placed on a future School Board agenda. If the complaint is not placed on the agenda, the Superintendent's determination on the complaint shall be considered final. If a complaint is placed on an agenda, the Superintendent or School Board Chair will invite the complainant and the person against whom the complaint is made to attend the meeting and will provide the School Board members with a copy of the complaint and supporting documents.

The School Board will determine the procedural rules for any meeting to hear a complaint. Any such meeting will be held in executive session. Only if the School Board elects to record the meeting will any recording of the meeting be permitted. If a group submits a complaint that is placed on the School Board agenda, a delegation of no more than two individuals must be designated to represent the group and to present the complaint to the School Board. If the School Board acts upon the complaint, the School Board's decision shall be final.

Complaints Against the Superintendent

Complaints against the Superintendent may be presented directly to the School Board Chair, but only after reasonable efforts have been made by the complaining party to resolve their complaint directly with the Superintendent. If the School Board Chair receives a complaint about the Superintendent, the Chair will consult with legal counsel as necessary to determine how best to proceed.

Complaints by Employees Concerning Terms and Conditions of Employment

It is not the intent of this policy to address and cover complaints made by employees about their terms and conditions of employment. These complaints should be brought forward by unionized employees through the informal, and if necessary, formal steps of the contractual grievance procedure, if any. However, this policy shall not be interpreted in a manner that expands the scope of matters that may be processed under the contractual grievance process.

For non-unionized employees, these complaints should follow the chain of command; complaints should first be presented to the employee's immediate supervisor, and if a complaint is unresolved, it may be raised through the building principal level to the superintendent.

Cross Reference:

- [BEDH- Public Participation at Board Meetings](#)

Adopted:

- May 11, 2000

Revised:

- May 12, 2009
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