

COMPLAINTS ABOUT SCHOOL PERSONNEL

This policy is intended to ensure that the district has a clear, consistent process to address concerns about specific school employees. The 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 Board places its trust in the Scarborough Public Schools' 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 should be resolved 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 appropriate school administrator 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 their 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 employee's immediate supervisor or their designee.

Step 2: If the complaint cannot be resolved following a discussion with the employee, the person initiating the complaint may appeal to the employee's immediate supervisor. The 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 following a discussion with the immediate supervisor (in the case that the supervisor is not a principal, director or their designee), the person initiating the complaint may appeal to the principal, director or their designee. The principal, director or their designee will look into the complaint and respond to the person making the complaint.

Step 4: If the complaint continues to be unresolved, it may be presented to the Superintendent or their designee. The person requesting the Superintendent's review must submit their complaint in writing, set forth the specific facts on which the complaint is based, and attach all documents in support of the complaint. The Superintendent or their designee will provide a copy of the written complaint to the person against whom the complaint is made.

Step 5: If the complaint remains unresolved at the Superintendent's level, the person making the complaint may contact the Board Chair, who at their sole discretion, will determine whether the complaint is placed on a future Board agenda. If the complaint is not placed on the agenda, the Superintendent's determination on the complaint shall be considered final. If the complaint is placed on the agenda, the Superintendent or Board Chair will invite the complainant and the person against whom the complaint is made to attend the meeting and will provide Board members with a copy of the complaint and supporting documents.

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

Complaints Against the Superintendent

Complaints about the Superintendent may be presented directly to the Board Chair, but only after reasonable efforts have been made by the complaining party to resolve their complaint directly with the Superintendent. If the Board Chair receives a complaint about the Superintendent, the Board 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. 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 or their designee, and if a complaint is unresolved, it may be raised through the building principal/director level to the Superintendent or their designee.

Cross Reference: KE – Public Concerns and Complaints
 BEDH – Public Participation at Board Meetings

Adopted: June 20, 2013

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