

Complaint Concerning School Personnel

Constructive criticism is welcomed by the Bon Homme Board of Education when it is motivated by a sincere desire to improve the quality of the education program and to help personnel in performing their tasks more effectively.

The policy has been established to ensure that a citizen's complaint is given respectful attention and that the integrity of all concerned is upheld. The term "complaint" in this policy is restricted in meaning to that criticism of a particular school employee(s), by a citizen of Bon Homme School District, which includes and/or implies a demand for action by school authorities. The "complaint" may extend to the manner in which a policy, rule, or procedure is implemented or interpreted.

Whenever a complaint is made directly to the Board as a whole or to an individual Board member, it shall be referred to the school administration for study and possible solutions. The individual employee involved shall be advised of the nature of the complaint and will be given every opportunity for explanation, comment, and presentation of the facts as he /she sees them.

Oral Complaint

A complaint which comes first to the employee against whom it is directed shall be listened to courteously. The employee shall try to resolve the difficulty by explaining the background and/or educational purposes involved. The employee shall refer the complaint to the principal if the complaint remains unsatisfied. Complaints terminated on this level shall be recorded by the employee.

A complaint which comes first to the principal or superintendent shall be listened to courteously. There shall be no commitments, admissions of guilt, or threats. A complaint which involves a particular employee(s) shall be referred to the employee(s) immediately by the principal or superintendent. A conference shall be recommended between the complainant(s) and the employee(s) criticized. If the complainant has already conferred with the employee(s) criticized and remains unsatisfied, the principal or superintendent will immediately invite the complainant to file his/her complaint in writing together with a complete copy of the district's complaint policy.

Any other school employee(s) or School Board member(s) who receives a complaint shall refer the complainant to the employee(s) criticized. The procedure outlined above shall then be followed. No further action shall be taken unless the complainant submits a written record. Efforts to improve the school operation shall continue.

Written Complaint

Level 1 - Employee: A copy of the written complaint shall be given to the employee(s) criticized. A written reply from the employee(s) will be required. The criticized employee(s) shall have the right to counsel. Note: All persons involved must treat the written complaint and response as confidential material. If not settled, the written complaint may proceed to Level 2.

Level 2 - Principal: The principal shall schedule a conference with the complainant(s), the criticized employee(s), and other personnel selected by either the administrator or the criticized employee(s) who could contribute to settling the problem. If not settled, the written complaint may proceed to Level 3.

Level 3 - Superintendent: The superintendent shall schedule a conference with the complainant(s), the criticized employee(s), and other personnel selected by either the administrator or the criticized employee(s) who could contribute to settling the problem. If not settled, the written complaint may proceed to Level 4.

Level 4 - School Board: The School Board shall schedule a conference with the complainant(s), the criticized employee(s) and other personnel selected by the Board who could contribute to settling the problem at the next regular scheduled School Board meeting. The final decision rendered by the Board may be appealed to a Court of Law.

If the complaint is settled to the mutual satisfaction of all parties involved in Level 2, 3, or 4, a written statement outlining how the complaint was resolved will be drawn up by the administrator(s) involved or School Board. A copy of the complaint, the criticized employee's response, and the written statement outlining how the complaint was resolved will be placed in the district's "Complaint File" and not in the employee's "Personnel File".

In cases of discipline or other school matters relating to their children, parents will first discuss the matter with the teacher. If, for some reason, they are not satisfied, they may further discuss that matter with the following persons in the following order: the principal of the building, then the superintendent or the superintendent's designee. If the superintendent is unable to satisfy the parents, he or she will report the case to the Board for consideration and action. The Board will not consider or act on complaints that have not been explored at the appropriate administrative level. The Board will consider hearing citizen complaints when they cannot be resolved by the administration. Matters referred to the Board must be in writing and should be specific in terms of the complaint and the action desired.

If it appears necessary, the administration, the person who made the complaint, or the employee involved may request an executive session of the Board for the purposes of further study and a decision by this body. Generally, all parties involved, including the school administration, shall be asked to attend such a meeting for the purposes of presenting additional facts, making further explanations, and clarifying the issues. Hearsay and rumor shall be discounted, as well as emotional feelings except those directly related to the facts of the situation.

The Board will render its decision which the superintendent will implement. The decision of the Board may be appealed.

Legal References: SDCL 13-32-6; 13-46

Revised: August 1999; July 12, 2010