

Complaints About Personnel

The District is committed to resolving complaints about school district personnel in an effective, efficient, and timely manner, while providing a positive working and learning environment for all staff and students. The District adopts this policy to reduce potential concerns and to establish channels of communication between staff and administration.

Filing Procedure

The following procedure is intended to minimize the risk of a possible action for libel or slander, to retain the impartiality of the Board, and to maximize compliance with North Dakota law.

Complaints shall be resolved at the lowest possible level of authority. If the complaint cannot be satisfactorily resolved at that level, the complaint shall be directed to the principal or other supervisor directly responsible for supervision of that employee. The supervisor shall:

1. Investigate the complaint.
2. Promptly notify the employee if the complaint is to be placed in the employee's personnel file. The decision to place information into any personnel file shall be made by the administration based on the results of an inquiry or investigation.
3. Schedule a meeting with the employee, the complainant, and/or the supervisor if deemed appropriate.
4. Provide a response to the complainant within sixty (60) days of receipt of the complaint. Upon conclusion of the investigation, the complainant shall be informed as to the outcome of the investigation and the disposition of the complaint to the extent appropriate. If either party is dissatisfied with the handling of the complaint, the matter may be appealed to the Superintendent for final resolution.

Board members shall refer individual's complaints about school district personnel to the Superintendent or designee, whereupon established procedures will be followed.

Complaints about the Superintendent or Business Manager shall be directed to the Board President, who is responsible for conducting the investigation. The Board President may retain an attorney or consultant to assist with the investigation process. The Board President has authority to take disciplinary action, including verbal or written reprimands; however, recommendation for a plan of improvement or dismissal must be presented to the Board for final action.

If disciplinary action is deemed warranted at the completion of the investigation, the District shall take appropriate action up to and including termination of employment in accordance with the law and/or reporting such activity to appropriate state licensing and/or law enforcement officials.

Complaints Involving Student and Staff Safety

Such complaints shall be referred to the Assistant Superintendent who shall determine if interim measures should be taken to protect the safety of the student or staff member and if law enforcement or child protective services should be contacted. The Assistant Superintendent shall also determine if the protocol under this policy is the appropriate procedure for handling this complaint or if another district policy (e.g., harassment) is the appropriate investigation procedure.

Deadlines

To be considered for investigation, any such complaint should have been filed within 180 days of the alleged occurrence except as provided by other District policy. The District has a separate investigation procedure for complaints of harassment and/or discrimination.

Retaliation and Providing False Information Prohibited

The District prohibits retaliation because of an individual's participation of an investigation and/or initiation of a report under this policy, including instances when an allegation is not substantiated. The District also prohibits knowingly filing a false report and/or knowingly making false statements during an investigation. Staff and students who violate these prohibitions are subject to appropriate disciplinary action.

Complementary Documents

- AAC, Nondiscrimination and Anti-Harassment Policy
- AAC-BR, Discrimination and Harassment Grievance Procedure
- DI, Personnel Records
- KACA, Patron Complaints
- KACB-E1, Personnel Complaint Form

End of Bismarck Public School District Administrative Policy KACB

Adopted: 7/1/2015
Revised: 11/13/2019,
4/10/2024