

PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL OR PROCEDURES

Constructive criticism of the schools is welcomed by the Garretson School District when it is motivated by a sincere desire to improve the quality of the education program and to help the school personnel in performing their tasks more effectively.

The 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. In order to ensure that complaints are dealt with in a fair, equitable, and efficient manner, the board understands that some complaints can be resolved through an informal process, while other complaints can only be resolved through a formal process.

Whenever a complaint is made directly to the board as a whole or to a board member as an individual, it shall be referred to the school administration for study and possible solutions. Board members may listen to the complaint, and if the complainant desires any kind of action beyond simply listening, that individual needs to be referred to this policy and to the administrator in charge of their areas of concern.

Informal Complaints: Any patron of the district who wishes to express a complaint should first utilize normal informal channels of communication, such as discussing the matter with the appropriate teacher or administrator in an effort to resolve the complaint. If the patron would like to move beyond this informal communication, the complaint must be done following the formal procedure. Complaints in which the patron would like the district or district administration to take specific actions against an employee or a change in policy must follow the formal procedure.

Formal Complaints: The board expects the professional staff and all employees to receive complaints in a courteous manner and make proper reply to the complaint. The board believes that complaints are best resolved as close as possible to their origin 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 and discipline shall be:

1. Teacher/classified employee
2. Principal or activities director (for activities related complaints)
3. Superintendent
4. Board of Education

All matters submitted to the superintendent or Board of Education must be in writing and should be specific in terms of the action desired.

Complaint Resolution:

Step 1: The patron will meet informally with the school employee or principal in an effort to resolve the complaint informally at the lowest level and as quickly as possible. If the informal process is not satisfactory, the matter will be reduced to writing on the district's complaint form (See file KLD-E) and submitted to the program supervisor for resolution. The patron may also submit the complaint form to the activities director (when appropriate) or the principal. The employee may respond to the complaint in writing.

Step 2: The principal (or activities director in cases of complaint against coaches or activity sponsors) will meet with the patron and the employee individually or jointly in an attempt to resolve the problem. The principal may conduct an investigation into the matter if necessary. The principal will render his or her decision to both parties in writing within fourteen (14) calendar days or less. If the resolution is agreeable to the patron and the employee, the decision will be delivered to the superintendent. If no agreement is reached, either the patron or the employee may go to Step 3 provided that notice is given within one week (7 days) of the 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 as appropriate. The superintendent shall conduct further investigation as is deemed necessary to understand the situation. The superintendent will write his or her decision within one week (7 days) of completing his or her investigation and must notify the patron, employee, and principal. The superintendent's decision may affirm, reverse, or modify the principal's decision. The patron or employee may, within one week (7 days), go to Step 4 by notifying the superintendent in writing of their desire to move the process to that level.

Step 4: The Garretson Board of Education 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, reverse, or modify the superintendent's decision upon the written record that exists. The board may determine the need to conduct a formal hearing on the matter. At this hearing, the patron will explain the complaint and 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 additional witnesses or documents as it deems necessary. The Board of Education will render its decision within two weeks (14 days) of the hearing, which will be implemented by the superintendent. The patron or the employee may appeal this decision within ninety (90) days to the Circuit Court as per SDCL 13-46.

LEGAL REFS.: SDCL 13-46 (Appeals in School Matters)

CROSS REFS.: GCPD, Suspension and Dismissal of Professional Staff Members
JFA, Student Due Process Rights