

## PERSONNEL

Complaints – Students, Employees, Parents, Other Employees ~~Against District Employees~~

### I. PURPOSE

The school district takes seriously all concerns or complaints by students, employees, parents or other persons. If a specific complaint procedure is provided within any other policy of the school district, the specific procedure shall be followed in reference to such a complaint. If a specific complaint procedure is not provided, the purpose of this policy is to provide a procedure that may be used.

### II. GENERAL STATEMENT OF POLICY

- A. Students, parents, employees, or other persons may report concerns or complaints to the school district. While written reports are encouraged, a complaint may be made orally. Any employee receiving a complaint shall advise the principal or immediate supervisor of the receipt of the complaint. The supervisor shall make an initial determination as to the seriousness of the complaint and whether the matter should be referred to the superintendent. A person may file a complaint at any level of the school district; i.e., principal, superintendent or school board. However, persons are encouraged to file a complaint at the building level when appropriate.
- B. Depending upon the nature and seriousness of the complaint, the supervisor or other administrator receiving the complaint shall determine the nature and scope of the investigation or follow-up procedures. If the complaint involves serious allegations, the matter shall promptly be referred to the superintendent, who shall determine whether an internal or external investigation should be conducted. In either case, the superintendent shall determine the nature and scope of the investigation and designate the person responsible for investigation or follow-up relating to the complaint. The designated investigator shall ascertain details concerning the complaint and respond promptly to the appropriate administrator concerning the status or outcome of the matter.
- C. The appropriate administrator shall respond in writing to the complaining party concerning the outcome of the investigation or follow up, including any appropriate action or corrective measure that was taken. The superintendent shall be copied on the correspondence and consulted in advance of the written response when appropriate. The response to the complaining party shall be consistent with the rights of others pursuant to the applicable provisions of Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act) or other law.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

~~The provisions of M.S. 13.43, Subd. 2, state that, among other things, the following information is public data:~~

- ~~1.— The status of any complaints or charges against the employees.~~
- ~~2.— Whether or not the complaint or charge resulted in a disciplinary action.~~
- ~~3.— The final disposition of any disciplinary action and supporting documentation.~~

~~Clearly, therefore, when a complaint is lodged against an employee the district has an obligation to respond. At the same time, however, the district also has an obligation to protect an employee from a complaint which is unwarranted, unsubstantiated, and without merit.~~

~~Consequently, the district will not respond to a complaint unless such complaint is in writing, signed by the complainant, and delivered to the employee's immediate supervisor or other administrative official of the district. (This does not apply to SBR 200-90-9: Sexual Harassment and Sexual Violence and SBR 200-90-15: Miscellaneous Harassment, Violence and Discrimination). However, when a complaint is received, the nature of which the supervisor or other administrative official in his/her sole discretion feels places a person's physical or mental health in jeopardy, said supervisor or administrative official may take whatever action is deemed necessary, within the provisions of district policy, state statutes or other applicable rules and regulations, without waiting for receipt of the complaint in writing.~~