

AR 1312.1 Public Complaints Concerning School Personnel

Note: The following optional regulation may be revised or deleted in light of district needs and collective bargaining obligations.

The School Board seeks to ensure that complaints by the public are addressed equitably, regardless of ethnicity, race, disability, gender identity, sexual orientation, religious or cultural preferences, familial status, or socioeconomic background, of the complainant or the personnel at issue. In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints. Every effort should be made to resolve a complaint at the earliest possible stage. Individuals are encouraged to attempt to verbally resolve concerns with the staff member directly.

1. In order to ensure fair and equitable access to the complaint process, the district may assist a complainant in the complaint process and resolution efforts. Assistance can include, but is not limited to, cultural support, age appropriate support, and disability accommodation that will assist complainants with oral and written communications related to the complaint and resolution processes.
2. All written complaints regarding district personnel, other than administrators, shall be initially filed with the principal/lead-teacher or immediate supervisor. If the complaint regards a principal/lead-teacher or central office administrator, the written complaint shall be initially filed with the Superintendent or designee. If the written complaint concerns the Superintendent or designee, it shall be initially filed with the School Board President. If the complaint is also against the district, the principal/lead-teacher or designee shall provide a copy of the complaint to the district compliance officer so that appropriate procedures may be followed.
3. If the complaint cannot be resolved informally by the persons involved, the complainant may submit the complaint in writing to the appropriate individual as identified in the paragraph immediately above. When necessary, the district shall assist in the preparation of the written complaint so as to meet the ~~requirement~~requirements of this regulation. The administrative staff shall inform the complainant that such assistance is available if he/she is unable to prepare the written complaint without assistance. A written complaint must include the name of each employee involved and a brief but specific summary of the complaint and the facts surrounding it. It must also include a specific description of any prior attempts to discuss the complaint with the employee involved and the failure to resolve the matter.
4. The principal/lead-teacher or immediate supervisor shall investigate and attempt to resolve the complaint to the satisfaction of the person(s) involved. If the complaint is resolved, the principal/lead-teacher will so advise all concerned parties, including the Superintendent or designee.
5. If the complaint remains unresolved after review by the principal/lead-teacher or the immediate supervisor, the principal/lead-teacher or immediate supervisor shall refer the written complaint, together with a report and analysis of the situation, to the Superintendent or designee. Complainants should consider and accept the Superintendent or designee's decision as final; ~~however, the complainant, the employee, or the Superintendent or designee may ask to address the School Board regarding the complaint.~~

2.6. Except when a complaint is directed against the Superintendent or designee, no party to a complaint may address the School Board, ~~either in closed or open session, unless the Board has received the Superintendent or designee's written report concerning the complaint.~~ School Board members shall make every effort to not prejudice themselves by listening to or discussing the matter of the complaint with any other School Board members, staff, students or public prior to receiving the Superintendent's report and formally meeting as a Board on the issue.

7. ~~Complaints before the~~ All parties to a complaint, including the school administration, may be asked by the School Board to attend a School Board meeting, or part of such meeting, for the purpose of presenting all available evidence and allowing every opportunity for explaining and clarifying the issue. The decision of the School Board following the hearing shall be final. Complaints before the School Board concerning an employee that may tend to be prejudicial to the employee's reputation or character shall be addressed in executive session of the ~~Board. All parties to a complaint, including the school administration, may be asked to attend a Board meeting or part of such meeting for the purpose of presenting all available evidence and allowing every opportunity for explaining and clarifying the issue. The decision of the Board following the hearing shall be final.~~ School Board.

(cf. 9321 - Executive Sessions)

Note: The district should make sure that complaints heard in executive session are indeed complaints against an employee, not against district practice or procedures.
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