

Bigfork School District # 38

PERSONNEL

4310

Public Complaints Concerning School Personnel

While the Board places trust in its staff and desires to display support for their efforts in a manner that discourages unjustified complaints, the Board recognizes that perceptions concerning activities of school personnel will generate justified as well as unjustified criticisms and complaints from the community. The Board expects the majority of complaints to be resolved at the lowest level of the administrative chain and that this policy will not deter the receipt or resolution of minor unwritten complaints by staff and administration.

Whenever a complaint is received by a member of the Board, it shall be referred to the Superintendent. The Board member will advise the constituent of the formal complaint process and forms. Upon receipt of complaints by the Superintendent from the members of the Board or the public, students, or other employees, the Superintendent or his designee will be responsible for the investigation of the actual basis for the complaint and develop possible solutions to alleviate the basis of concern. The Superintendent will take charge of investigations where the complainant alleges staff misconduct of a criminal nature or other unprofessional conduct where the Board may ultimately be involved in an official capacity. The investigation will provide the individual employee complained of the opportunity and sufficient time to explain, comment and present the employee's perception of the events. During this investigation, the Superintendent or his designee will be responsible for ensuring that the employee has that due process, and the procedures accorded shall be consistent with the nature and seriousness of the complaint. Confidentiality requirements shall be maintained at all times. When the complaint investigation is handled at lower administrative levels, all complaint findings, conclusions and corrective actions shall be forwarded to the Superintendent for review.

While it is the responsibility of the Superintendent to keep the Board advised as to the general concerns of the public concerning the staff, it is also recognized that provision of extensive information concerning alleged transgressions of an employee to the Board may jeopardize the employee's eventual right to a due-process hearing should one become necessary. Therefore, so as not to raise issues concerning an unbiased tribunal, the Board will not expect, nor will the Superintendent provide the Board with, specific detail on any investigation of a complaint when it is perceived that the Board will become the final arbiter of the complaint or the employee's continued status with the district. With the exception of complaints concerning the Superintendent and except as provided in this policy, the Board shall not receive or consider complaints about other employees either in a formal meeting or individually. For other employees the Board will be advised by the Superintendent at such time as the Superintendent determines that Board action is required to resolve the matter.

Policy History:

Adopted: 4/6/00