

BP 1312.1 PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL

The School Board places trust in its employees and desires to support their actions in such manner that employees are free from unwarranted, spiteful or negative criticism and complaints. The Superintendent or designee shall develop procedures which will permit the public to lodge criticism against staff members, assure full consideration, and protect the rights of the staff members and the district. Verbal complaints against an employee initially made to a School Board member or at a School Board meeting will be referred to the Superintendent or designee for appropriate consideration and action.

(cf. [1250](#) - *Visits to the School*)

(cf. [1312](#) - *Public Complaints Concerning the Schools*)

(cf. [4112.6](#) - *Personnel Records*)

(cf. [9323](#) - *Meeting Conduct*)

Note: When public complaints include allegations of child abuse, it is imperative that school officials consult [BP 5141.4 - Child Abuse and Neglect \(Reporting Procedures\)](#). Though a district may implement its complaint procedures in such cases, the duty to report suspected child abuse comes first. We encourage school districts to rely on the child protective agencies for resolving these complaints and determining if the child abuse report is unfounded.

(cf. [5141.4](#) - *Child Abuse and Neglect (Reporting Procedures)*)

Legal Reference:

ALASKA STATUTES

[44.62.310](#) *Government meetings public*

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.

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. Complaints concerning school personnel should be made directly by the complainant to the person against whom the complaint is lodged. Parents/guardians are encouraged to attempt to orally resolve concerns with the staff member personally.

All written complaints regarding district personnel other than administrators shall be initially filed with the principal or immediate supervisor. If the complaint regards a principal 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. If the complaint is also against the district, the principal or designee shall provide a copy of the complaint to the district compliance officer so that appropriate procedures may be followed.

If the complaint cannot be resolved informally by the persons involved, the complainant may submit the complaint in writing to the school principal or immediate supervisor. When necessary, the district shall assist in the preparation of the written complaint so as to meet the 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 help. 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 a prior attempt to discuss the complaint with the employee involved and the failure to resolve the matter. (*Exhibit Form-Link*)

The principal 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 will so advise all concerned parties, including the Superintendent or designee *in writing*.

If the complaint remains unresolved after review by the principal or the immediate supervisor, the principal 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.

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 School Board has received the Superintendent or designee's written report concerning the complaint.

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 School Board. All parties to a complaint, including the school administration, may be asked 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.

(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.



KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

COMPLAINT FORM

(Note: You may use this citizen's complaint process to address complaints against any KGBSD employee, policy, practice or procedure, including rights protected under Title VII of the Civil Rights Act of 1964, as amended, and Title IX of the Education Amendment Act of 1972.)

Please complete this form, print it and mail it to the Superintendent's Office, 333 Schoenbar Road, Ketchikan, Alaska 99901, according to the instructions found below.

Name: _____

Address: _____

Telephone: _____

1. Who or what is your complaint against? _____

School/Department: _____

Position: _____

2. Has this been discussed with him/her: Yes No

Dates: _____

3. Has the complaint been discussed with the principal or supervisor? Yes No

Dates: _____

DESCRIPTION OF COMPLAINT: Please include all important information such as location, names, dates, who was present, and to whom it was reported. Please use additional paper if more space is needed.

What remedy or action do you suggest?

Signature: _____ Date: _____

Date Received by the District: _____

This form is not intended for emailing. After filling it out, please print it and mail to the Superintendent's Office according to the instructions below.

CITIZEN COMPLAINT FORM PROCEDURES

It is a fundamental constitutional right to have freedom of expression, including criticism of public agencies and their employees. Public employees are also entitled to various rights including the right to the protection of due process of law. In order to satisfy any conflicting rights, the following procedures are established by the Ketchikan Gateway Borough School District for processing complaints against employees or employee practices of the school district.

Most complaints can be resolved by informal discussions between the complainant and the employee or the employee's principal/supervisor. This formal complaint process is reserved for complaints which are not resolved after the informal process has been attempted and must be filed no later than 30 days of the incident. If the incident occurs at the end of the school year, the formal complaint must be filed by June 30 of the current school year. For extenuating circumstances, the deadline may be extended. Even when this formal complaint procedure is initiated, efforts may occur at any point to accomplish satisfactory informal resolution. In no case, is there to be retaliation from either party.

**Directions for processing complaints against employees, policies, practices, and procedures
of the Ketchikan Gateway Borough School District:**

1. A person lodging a complaint against a district employee or employee practices should meet with the principal or supervisor of the employee to discuss the problem in an attempt to reach a solution.
2. Any person who is dissatisfied with the result of such a meeting may wish to complete a Citizen Complaint Form.
3. Send the form to the Superintendent's office, 333 Schoenbar Road, Ketchikan, Alaska 99901 (telephone - 907-247-2109). A letter of receipt stating who will be working with you to resolve this complaint and their contact numbers will be sent to you.
4. A copy of the complaint form will be provided to the employee against whom the charge is made with a request that the employee respond in writing to the appropriate administrator within 10 working days of receipt of complaint. The employee shall cooperate in resolving the complaint.
5. If the complaint is not resolved at the building or department level, the appropriate central office administrator will review the complaint and related material, interview parties, and submit findings and recommendations to the superintendent.
6. The superintendent or designee will notify the person filing the complaint and employee in writing of the final determination. A final decision will be issued in a timely manner, not to exceed 45 working days, after the filing of the formal complaint.
7. Employees impacted by use of the Citizen Complaint Form may choose to exercise rights given them by law or by employment agreement. Both the employees and the complaining party may have representation of their choice throughout the process.
8. If the concern is one of equity, the district recognizes the right of the complainant to file a complaint with the Commissioner of Education or other appropriate agencies.
9. At any point after the complaint process has been initiated, if the person filing the complaint indicates a desire to pursue formal litigation, or does in fact file suit, the district's citizen's complaint process will be terminated. The district will then turn the matter over to district counsel.

The following information is listed neither to encourage nor discourage the filing of a complaint. Rather, it is intended to inform you of the possible outcomes of a formal complaint proceeding:

- I understand that the school district may request additional information from me regarding this matter, and I agree that I will provide such information as is available to me.
- I understand that while my requested resolution of this matter will be carefully considered, the responsibility for selecting action taken may ultimately be more or less severe than the remedy I have proposed. In serious situations, the information contained in this complaint may be used among other things as a basis for termination of an employee.
- If the complaint is directed toward actions of an employee, I understand that the school district will give a copy of this complaint to the individual(s) about whom I have complained. The person will be given the opportunity to respond to this complaint. I will be provided with a copy of any written response.
- I understand that I may request to withdraw this complaint at any time. However, in the event that the school district views the matters raised in this complaint as being sufficiently serious, the school district may pursue this matter despite my desire not to proceed. I also understand that if any judicial proceeding arises from the matters which I have raised in this complaint, both the person I have complained about and I would be entitled to all the rights and protections available in such judicial proceedings.



KETCHIKAN GATEWAY BOROUGH SCHOOL DISTRICT

Student Grievance Form

1. Name of student: _____

2. Email address: _____

3. Phone: _____

4. Name of person(s) the complaint is about: _____

5. Date of incident(s): _____

6. Nature of incident(s):

- Bullying Teasing Verbal Argument Fight Cyber-bullying
 Verbal Harassment Physical Harassment Sexual Harassment Other

7. Have you shared your concern with any school teacher or adult? Yes No
Teacher _____ Other Adult: _____

8. Have you shared your concern with any school principal? Yes No
School _____ Principal: _____

9. Please describe your concern(s) in the space provided. You may provide additional information or attachments, as necessary.

10. What remedy or action do you suggest? _____

11. Has a parent been notified about this report? Yes No