



"To Build Knowledge and Skills for Success Today and Tomorrow"

File: KL

PUBLIC COMPLAINTS

Constructive criticism of District operations is welcomed by the 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, and is presented in a manner which allows for reasonable resolution by the District.

This policy is not intended as a forum for a complainant to demand the District terminate or otherwise adversely address the employment of a District employee.

Whenever a complaint is made directly to the Board as a whole or to an individual Board member, the individual or Board receiving the complaint shall advise the to the appropriate administration member of such complaint.

The Board believes complaints and grievances are best handled and resolved when addressed as close to their origin as possible, and administration should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the Board. The proper channeling of complaints is as follows:

1. The complainant should discuss the complaint in a timely manner with the personnel involved in an effort to resolve the problem.
2. If, after discussion with the personnel involved, the complainant is not satisfied, the complaint should be discussed informally with the administrator in charge.
3. If, after informal discussion with the administrator in charge, the complainant is not satisfied, the complainant may fill out the formal complaint form and submit it to the administrator in charge. The administrator then will respond in writing to the complaint within ten (10) days. The administrator's response shall be mailed by certified mail to the complainant.
4. If the complainant is not satisfied with the written disposition of the matter by the administrator in charge, the complainant may, within ten (10) days after receiving the written response from the administrator in charge, appeal the matter to the superintendent, who will review the written complaint and the administrator's written response and will meet with the complainant if requested. The superintendent then will respond in writing to the complaint within ten (10) days of receipt. The superintendent's response shall be mailed by certified mail to the complainant.

5. If the complainant is not satisfied with the written response of the superintendent, the complainant may, within ten (10) days after receiving the written response, request placement of the complaint on the agenda of the next regular Board meeting. In considering the complaint, the Board will review the written complaint and the written responses of the administrator in charge and the superintendent as well as consider to oral presentations if the Board in its sole discretion deems such presentations appropriate. The Board will render its decision by majority vote and respond in writing within ten (10) days of the meeting. **The Board's response shall be mailed by certified mail to the complainant.**

Exceptions to this policy will be made when the complaints concern Board actions or Board operations only.

The complainant must in good faith seek relief which the administration and/or Board are able to provide and must not request relief which the administration and/or Board are jurisdictionally or procedurally unable to provide. If the complainant fails to follow the timelines given above, the complaint will be considered to be resolved. If the principal fails to render a written response in a timely manner, the complaint may be appealed to the superintendent. If the superintendent fails to render a written response in a timely manner, the complaint may be appealed to the Board.

This policy includes complaints about the implementation of federal programs. If complaints about federal programs remain unresolved after following the steps outlined in this complaint policy, the complainant may appeal to the South Dakota Department of Education.

Complaints addressing enrollment, transportation (including inter-district disputes), and other barriers to the education of children and youth experiencing homelessness are also addressed under this policy. Parents, guardians, and unaccompanied youth may initiate the complaint process directly at the school level or at the district office level. The written response required by the procedures in Steps 3-5 of this policy shall also include notification of the rights of the parent, guardian, or student to appeal the decision to the South Dakota State Department of Education.

Copies of the District complaint form will be available in the offices of all administrators. A complainant will be given a copy of this policy along with the complaint form.

For purposes of the timelines stated in this policy a "day" refers to a day that school is in session, except that during the summer it refers to regular working days that the Business office is open.

LEGAL REF.: SDCL 13-46-1

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