



DISCIPLINE COMPLAINT PROCEDURE & FORM

In accordance with Shakopee Public Schools Policy 506 and Minnesota Statutes, section 121A.49, students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are **not being implemented appropriately** or are **being discriminately applied**.

The complaint must be filed in writing to the school principal (report taker), or the assistant superintendent if the actions of a building principal are in question. In a complaint under this section, the school principal or assistant superintendent may affirm the decision of the assistant principal or principal who implemented the disciplinary consequences, may remand the decision for additional findings, or may reverse or modify the decision if the substantial rights of the petitioners have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

- (1) in violation of constitutional provisions;
- (2) in excess of the statutory authority or jurisdiction of the school district;
- (3) made upon unlawful procedure, except as provided in section 121A.49
- (4) affected by other error of law;
- (5) unsupported by substantial evidence in view of the entire record submitted; or
- (6) arbitrary or capricious.

Upon receipt of a complaint, the principal or assistant superintendent must begin to investigate the matter within three school days. The principal or assistant superintendent in a timely manner will provide, or direct the provision of a written determination to the complainant that addresses each allegation and contains findings and conclusions.

All records resulting from a formal discipline complaint shall be sent to the assistant superintendent, who will retain such records in accordance with state law. Discipline complaints are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.

If the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61 were not met, including any local policies that were not implemented appropriately, a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future will be shared with the complainant and will be implemented in a timely manner.

The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations. However, the school district is unable to guarantee confidentiality to any individual. Shakopee Public Schools prohibits reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provides procedures for applying appropriate consequences for a person who engages in such reprisal or retaliation.

Student Name _____ Grade _____ School _____

Parent/Guardian Name _____

Complainant is (check one): _____ Student _____ Parent/Guardian

Complainant Phone Number _____

Complainant EMail _____

1. Please provide a detailed analysis of how the disciplinary action violated the Minnesota Pupil Fair Dismissal Act, school district policy, or rules in the student handbook.

2. Please provide specific examples and credible evidence to support your assertions mentioned in (1) above:

TO BE COMPLETED BY REPORT TAKER:

Time/Date Complaint received _____ Initials _____