

STAFF INVESTIGATION

Complaints about school employees should be resolved at the lowest possible level and in a manner that ensures that the facts are gathered, applicable due process rights are respected, and the privacy rights of personnel and students are honored. Any complaint presented to the Board as a whole or to individual Board members will be referred to the school administration so that the concern can be processed in accordance with this policy. The Board will not hear or review complaints until such complaints have first been brought forth through the appropriate and applicable administrative channels and the Superintendent or their designee has had a reasonable opportunity to consider and seek to resolve the complaint.

Steps in the Complaint Procedure

Generally, the first step in the complaint procedure is for the complainant to discuss the matter directly with the employee against whom the complaint is registered. If this is clearly inappropriate because of the nature or severity of the complaint, the person making the complaint may request a conference with the employee's principal/assistant principal/immediate supervisor to discuss the complaint.

If the complaint cannot be resolved following a discussion with the employee, the person initiating the complaint may appeal to the second step- the employee's immediate supervisor. The Principal/immediate supervisor or their designee will look into the complaint and communicate with the person making the complaint.

If the complaint cannot be resolved at the supervisor level, it may be presented to the Superintendent at step three. The person requesting the Superintendent's review must submit the complaint in writing, setting forth specific facts on which the complaint is based and attaching all documents in support of the complaint. The Superintendent will provide a copy of the written complaint to the person against whom the complaint is made.

If the complaint remains unresolved at the Superintendents level, the person making the complaint may contact the Board Chairperson to request that the matter be placed on the Board's agenda. The Board Chairperson will determine, at their sole discretion, whether the complaint will be placed on a future Board agenda(procedure, policy, or law, only if violated). If the complaint is not placed on the agenda, the Superintendent's determination on the complaint shall be considered final. If the complaint is placed on an agenda, the Superintendent or Chairperson will invite the complainant and the person against whom the complaint is made to attend the meeting and will provide the Board members with a copy of the complaint and supporting documents.

The Board will determine the procedural rules for any meeting to hear a complaint. Any such meeting will be held in executive session. Only if the Board elects to record the meeting will any

recording of the meeting be permitted. If a group submits a complaint that is placed on the Board agenda, a delegation of no more than two individuals must be designated to represent the group and to present the complaint to the Board. If the Board does hear and act upon the complaint, all Board decisions shall be final.

If an investigation is required, it will follow the steps listed below:

1. Initiation of Investigation

- Tigger: Investigations are initiated upon receipt of a complaint or allegation of staff misconduct
- Duty to Investigate: Recent legislative guidance emphasizes that schools must begin an investigation upon learning of alleged misconduct; a formal, written complaint is not always necessary.
- Initial inquiry: The Superintendent or a designee usually conducts an initial inquiry to determine if a formal investigation is required.
- Mandatory Reporting: If the allegation involves potential abuse or neglect of a student, schools must follow mandatory reporting laws(e.g., notifying the Department of Education)
- The Board Chair will be notified that an investigation has been initiated.

2. Investigation Procedures

- Professional Conduct: Investigations should be conducted in a professional manner that respects employee rights and adheres to collective bargaining agreements.
- Confidentiality: Procedures emphasize keeping investigations confidential to protect all parties involved.
- Interviews: Investigations generally include private interviews with the complainant, witnesses, and the staff member accused of misconduct.
- Administrative Leave: Staff members are placed on paid administrative leave pending the outcome of an investigation, particularly if student safety is involved.

3. Reporting and Cooperation

- Resignation During Investigation: If a staff member resigns before an investigation is completed, the school entity must still complete the investigation and report findings to the Maine Department of Education(DOE).

- Notification to DOE: Schools must notify the DOE immediately if an investigation finds that a credential holder endangered student safety or if they left employment prior to the conclusion of a “covered investigation”.
- Non-Disclosure Agreements: Schools are prohibited from entering into non-disclosure agreements that prevent the disclosure of investigation findings related to serious misconduct, such as abuse, alcohol/drug use, or inappropriate contact with a student.

4. Outcomes and Discipline

- Final Report: Upon completion, a final report is produced. If allegations are substantiated, the school will determine appropriate disciplinary action.
- Actions Taken: Depending on the findings, actions may range from remedial training or counseling to suspension or termination of employment.
- Notification: The employee and relevant parties are generally notified of the outcome of the investigation.

Cross Reference: Policy KE, Policy KEB

Staff Investigation, 20-A M.R.S. 13025, 1 M.R.S.A § 405(6)(A)), Mandatory Reporting (20-A M.R.S.A § 13025), Whistleblower Protections (26 M.R.S.A. §833), Investigation Requirements (LD 2192), Due Process Rights: Moosabec CSD & Union 103 Comprehensive Agreement

DATE ADOPTED: JUNE 16, 2026