



| 2 Pine Tree Drive, Suite 306 | Arden Hills, MN 55112 | 651-582-8888 | bosa.mn.gov |

Public Complaint Form

The State Board of School Administrators aims to ensure professional administrators' highest ethical standards and practice through licensure and adherence to Minnesota's Code of Ethics. Licensure provides a safeguard to the public, indicating the administrator has completed an established level of professional educator preparation, achieved the appropriate academic credentials, and passed criminal and other background checks. The Board is only authorized to take action against an administrator's license. ***The Board is not empowered to hire or fire administrators or force the employing school district to take certain employment-related disciplinary action against a licensed administrator.***

The Board of School Administrators addresses each complaint within its jurisdiction and does not dismiss it unless the Ethics Committee reviews the matter.

The Board of School Administrators does **not** have jurisdiction over complaints involving:

- charter and private school administrators who do not hold a Minnesota license
- enforcement of special education law
- administrative behavior not covered under [Minnesota Statutes chapter 122A](#) or [Minnesota Rules chapter 3512](#)

In addition to complaints from the public, Minnesota law requires school districts to report to the board when administrators are discharged, are suspended, or resign from employment after a charge is filed with the school board under [Minnesota Statute 122A.40-.41](#).

Each complaint is individually reviewed by the Board's Ethics Committee to determine if the Board has jurisdiction over the complaint and if there is sufficient factual evidence to conclude that the alleged behavior may have violated Minnesota Statutes or the Code of Ethics. If the Ethics Committee concludes that the Board does not have jurisdiction over the complaint or that the alleged behavior does not violate Minnesota Statutes or the Code of Ethics, the complaint is dismissed, and the administrator remains licensed. If the complaint is dismissed, Minnesota's Government Data Practices Act prevents the Board from releasing any information other than that the administrator remains licensed.

If the Ethics Committee determines that the alleged behavior may have violated Minnesota Statutes or the Code of Ethics, the Board will notify the licensee who is the subject of the allegation and provide the licensee with an opportunity to respond to the complaint. The Ethics Committee will ask for the administrator's response to each allegation before rendering a decision. If the Ethics Committee chooses to take action against an administrator, the administrator has the right to appeal that action and request a hearing before an administrative law judge. If the Committee chooses to dismiss a complaint, that decision cannot be appealed.

IMPORTANT INFORMATION – PLEASE REVIEW

- Complaints are only accepted by filling out and submitting this complaint form. If you do not have access to a computer, please call the Board office with your address, and the Board will mail you a hard copy of the paper form.
- The complainant should first make every effort to try to resolve the complaint through the complaint process of the **local school district** that employs the administrator against whom the complaint is filed.
Other resources:
 - MDE Maltreatment [Student Maltreatment \(mn.gov\)](#)
 - MDE Special Ed [Conflicts in Special Education \(mn.gov\)](#)
 - MN Department of Human Rights [Report Discrimination / Minnesota.gov \(mn.gov\)](#)
- When describing the complaint on p. 5, please list the specific sections within the Code of Ethics or Minnesota Statutes chapter 122A that you believe the administrator violated. First-hand information is the best evidence. Second-hand information is very difficult to verify. Whenever possible, provide first-hand accounts, with names and contact information of witnesses. Please limit your description of the violation to two pages. However, you may attach documents that supplement your claim.
- Anonymous complaints often obstruct the investigative and disciplinary process. Anonymous complaints limit the Board's ability to research the actual misconduct since it cannot speak with the complainant or the potential victim.
- The information you provide relating to your complaint is classified as private data, pursuant to the Government Data Practices Act, Minnesota Statutes Sections [13.04, subd. 2](#) and [13.41, subd. 2](#). Such information is for the use of the Board's staff and the Attorney General's Office in evaluating your complaint. You are not required to file a complaint with the Board, but if you do not do so, the Board cannot act on the complaint. Even though you are the complaining party, the status of any ongoing investigation is private and cannot be disclosed to you or any other individual. At the same time, however, other laws may require that information provided to the Board and/or Attorney General's Office be disclosed to other persons or entities. This includes but is not limited to, the administrator against whom the complaint is filed, the Office of Administrative Hearings, and the Appellate Courts. Thus, information may thereby become public data.

- Board discipline authority is limited to [Minnesota Statutes chapter 122A](#) and [Minnesota Rules chapter 3512](#) Code of Ethics. Therefore, some matters perceived as wrong-doing to students by individuals hired by administrators are not within the jurisdiction of the Board of School Administrators and can best be resolved by talking with the school principal, district superintendent, or local school board. Such issues may include, but are not limited to:
 - student participation in extracurricular or sports activities
 - assignment of the student to a specific educator
 - student placement in a specific course or classroom educator or patron dissatisfaction with an educator employment contract, educator school assignment, educator classroom assignment, or other duties assigned to the educator

I acknowledge that I have fully read and understood the Public Complaint Process by signing below.

Signature: _____ Date: _____

ADMINISTRATOR INFORMATION

Name of school and District name where the administrator is employed:

Name of administrator (a separate form must be completed for each accused administrator):

Date of incident:

PERSON FILING THE COMPLAINT

Name:

Primary Email Address:

Mailing Address:

City, State, Zip:

Phone Number:

CODE OF ETHICS

Check the specific code of ethics below that you believe the administrator has violated.

- A.** A school administrator shall provide professional educational services in a nondiscriminatory manner.
- B.** A school administrator shall take reasonable action to protect students and staff from conditions harmful to health and safety.
- C.** A school administrator shall take reasonable action to provide an atmosphere conducive to learning.
- D.** A school administrator shall not misuse professional relationships with students, parents and caregivers, staff, or colleagues to private advantage.
- E.** A school administrator shall disclose confidential information about individuals only when a compelling professional purpose is served in accordance with state and federal laws and school district policies.
- F.** A school administrator shall not knowingly falsify or misrepresent records or facts relating to the administrator's qualifications or to the qualifications of other staff or personnel.
- G.** A school administrator shall not knowingly make false or malicious statements about students, students' families, staff, or colleagues.
- H.** A school administrator shall not accept gratuities, gifts, or favors that impair professional judgment nor offer any favor, service, or item of value to obtain special advantage.
- I.** A school administrator shall only accept a contract for a position when licensed for the position or when a school district is granted a variance or letter of approval by the board.
- J.** A school administrator, in filling positions requiring licensure, shall employ, recommend for employment, and assign only appropriately licensed personnel or persons for whom the school district has been granted a variance by the appropriate state board or agency unless, after making reasonable efforts to obtain a variance, an appropriately licensed person cannot be assigned and the position must be filled to meet a legitimate emergency educational need.
- K.** A school administrator shall not engage in conduct involving dishonesty, fraud, or misrepresentation in the performance of professional duties.

FILING THE COMPLAINT

Describe the complaint and how the administrator violated the Minnesota Statutes or the Code of Ethics. List specific evidence to support your claims. You may attach evidence to support your claim.

Once you have described your complaint, scan the completed form and supporting evidence before emailing Bosa.Ethics.Committee.MDE@state.mn.us. You may also mail the complaint to the address on this form.

If you have any questions, please contact Karen Schaub at 651-582-8282.

The decisions of the Board of School Administrators are final and cannot be appealed.

Complaint:

Continue the description of the complaint: