

Book	Policy Manual
Section	9000 Relations
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#### 9130 - **PUBLIC COMPLAINTS AND CONCERNS**

Any person or group having a legitimate interest in the operations of this Corporation shall have the right to present a request, suggestion, complaint, or concern relating to Corporation personnel, the program, or the operations of the Corporation. At the same time, the School Board has a duty to protect its staff from unnecessary harassment. It is the intent of this policy to provide the means for judging each public complaint and concern in a fair and impartial manner and to seek a remedy where appropriate.

It is the desire of the Board to rectify any misunderstandings between the public and the Corporation by direct discussions of an informal type among the interested parties. It is only when such informal meetings fail to resolve the differences, shall more formal procedures be employed.

Any requests, suggestions, complaints, or concerns reaching the Board, Board members, and the administration shall be referred to the Superintendent for consideration according to the following procedure.

#### **Matters Regarding a Professional Staff Member**

##### A. First Level

If it is a matter specifically directed toward a professional staff member, the matter must be addressed, initially, to the concerned staff member who shall discuss it promptly with the complainant and make every effort to provide a reasonable explanation or take appropriate action within his/her authority and Corporation administrative guidelines.

This level does not apply if the matter involves suspected child abuse, substance abuse, or any other serious allegation which may require investigation or inquiry by school officials prior to approaching the professional staff member.

As appropriate, the staff member shall report the matter and whatever action may have been taken to the staff member's supervisor.

##### B. Second Level

If the matter cannot be satisfactorily resolved at the First Level, it shall be discussed by the complainant with the staff member's supervisor and in compliance with provisions of a collective bargaining agreement, if applicable.

##### C. Third Level

If a satisfactory solution is not achieved by discussion with the staff member's supervisor, a written request for a conference shall be submitted to the Superintendent. This request should include:

1. the specific nature of the complaint and a brief statement of the facts giving rise to it;
2. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
3. the action which the complainant wishes taken and the reasons why it is felt that such action be taken.

Should the matter be resolved in conference with the Superintendent, the Board may be advised of the resolution.

### **Matters Regarding the Superintendent**

Should the matter be a concern regarding the Superintendent which cannot be resolved through discussion with the Superintendent, the complainant may submit a written request for a conference to the Board. This request should include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
- B. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
- C. the reason that matter was not able to be resolved with the Superintendent;
- D. the action which the complainant wishes taken and the reasons why it is felt that such action should be taken.

The Board, after reviewing the request, may refer the matter to an executive session.

### **Matters Regarding an Administrative Staff Member**

Since administrators are considered members of the Corporation's professional staff, the general procedure specified in "Matters Regarding a Professional Staff Member" shall be followed.

### **Matters Regarding a Support Staff Member**

In the case of a support staff member, the same procedure is to be followed as for "Matters Regarding a Professional Staff Member". The complaint is to be directed, initially, toward the person's supervisor, and the matter then brought as required to higher levels in the same manner as prescribed for "Matters Regarding a Professional Staff Member."

### **Matters Regarding Corporation Services or Operations**

If the request, suggestion, complaint, or concern relates to a matter of Corporation procedure or operation, it should be addressed, initially, to the Superintendent/Designee and then brought, in turn, to higher levels of authority in the manner prescribed in "Matters Regarding a Professional Staff Member."

### **Matters Regarding the Educational Program**

If the request, suggestion, complaint, or concern relates to a matter of Corporation program, it should be addressed, initially, to the Building Principal or Designee and then brought, in turn, to higher levels of authority in the manner prescribed in "Matters Regarding a Professional Staff Member."

### **Matters Regarding Instructional Materials**

The Board recognizes the right of teachers, librarians, and administrators to select books and other materials in accordance with the current trends in education and to make them available in schools.

Therefore, books and other reading material will be chosen for value of interest and enlightenment of all students in the community. A book will not be excluded because of the race, nationality, political, or religious values of the writer or of its style and language. Every effort will be made to provide materials that present all points of view concerning the current international, national, and local problems and issues. Books and other reading material of sound factual authority will not be prescribed or removed from library shelves because of partisan doctrinal approval or disapproval.

The final decision on controversial reading material rests with the Board after careful examination and discussion of the instructional materials with school officials and/or other individuals the Board may wish to consult. No parent or group of parents has the right to determine the reading matter for students other than their own children. The Board recognizes the right of an individual parent to request that his or her child not have to read given instructional materials, provided a written request is made to the appropriate building principal.

Parents or guardians, having custody of any student enrolled in the school corporation, or a community member who lives within the school corporation boundaries may request that the removal of library, media, and other supplemental instructional materials on the basis the materials are obscene or harmful to minors as defined in Indiana law according to the following procedures:

- A. A person having a concern about the use of library, media, and/or other instructional materials should first discuss the concern with the school librarian.
- B. If the individual is not satisfied after the discussion with the school librarian, the individual should contact the building principal to discuss the matter.
- C. If the individual is not satisfied after talking with the building principal, the individual may further the inquiry for a removal of the material in question by completing a Request for Removal of Library, Media, and/or Other Supplemental Materials Form available on the school's website, or at the school's Main Office, and submitting it to the building principal.
- D. Upon receipt of the completed Form, the building principal shall request a review of the challenged material by a review committee within fifteen working days. The challenged material shall remain in use during the review process.
- E. The building principal shall appoint the review committee and shall include but is not limited to a media professional, a classroom teacher, and a parent. For materials at the middle or high school level, a student representative may also be appointed.
- F. The review committee shall take the following steps after receiving the challenged materials:
  1. Read, view, or listen to the material in its entirety.
  2. Review the definition of obscene and harmful to minors as defined in the Indiana criminal code.
  3. Judge the material as a whole and not in part in determining whether the material meets the definition of obscene and/or harmful to minors.
- G. The review committee shall make a written determination as to whether the material is obscene and/or harmful to minors and should be removed from the school library. The review committee's written determination shall be given to the building principal, the superintendent, and the person who made the request to remove the materials.
- H. The person requesting the removal of the materials has the right to appeal the review committee's decision to the school board. The appeal must be in writing to the superintendent within ten days of the receipt of the review committee's determination.
- I. The Board shall determine based upon the findings of the review committee whether to retain or remove the challenged material at its next public meeting after receiving the appeal. The board may also consider other resources in making its determination.

No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal. Any challenged material that is not removed may not be appealed again for five (5) years from the date of the final decision to not remove the material.