R 9130 PUBLIC COMPLAINTS

All complaints addressed to the Board of Education, Board members individually, school officials, or district staff members shall be referred to the Superintendent for consideration in accordance with the following procedures.

A. Complaints Regarding a Teaching Staff Member Other Than an Administrator or Supervisor

1. First Level

a. The complainant will be directed to address the complaint to the teaching staff member.

b. The teaching staff member will make every reasonable effort to address the complaint and take appropriate action, if necessary, in accordance with district policies and regulations and within the teaching staff member's authority.

c. The teaching staff member will report the complaint in writing, and whatever action that may have been taken to resolve the complaint, to the teaching staff member's Principal or supervisor.

2. Second Level

a. If the complaint cannot be resolved to the complainant's satisfaction at A.1. above, the complainant may appeal the teaching staff member's resolution to the teaching staff member's Principal or supervisor.

b. The Principal or supervisor will take all reasonable and prudent steps to resolve the complaint and meet with the complainant to discuss the Principal or supervisor's resolution to the complaint.

3. Third Level

a. If the complaint cannot be resolved to the complainant's satisfaction at A.2. above, the complainant may, within five

working days of their meeting with the teaching staff member's Principal or supervisor, submit a written request for a conference to the Superintendent. The written request shall, at a minimum, include~~:~~ the specific nature of the complaint and a statement of the facts giving rise to it.

b. A copy of the complainant's written request for a conference will be submitted to the Board by the Superintendent.

c. Within seven working days of the Superintendent's receipt of the written request for a conference, the Superintendent shall conduct the conference, at a time convenient to the complainant and the Superintendent, and attempt to resolve the complaint informally.

d. The Superintendent shall record in writing their disposition of the complaint and shall, within ten working days of the conference, submit a copy of their written disposition to the complainant and the Board.

4. Fourth Level

a. A complaint that is not resolved to the complainant's satisfaction by a conference with the Superintendent at A.3.c. above or that seeks a remedy beyond the Superintendent's authority may be appealed by the complainant to the Board.

(1) The complainant shall, within three working days of their receipt of the Superintendent's written disposition, submit a written request with supporting documentation to the Superintendent for an informal hearing before the Board. The complainant's request, along with the Superintendent's disposition at A.3.d. above, shall be provide to the Board.

b. The Board shall decide whether to grant or deny the complainant's request for an informal hearing and provide their decision in writing to the complainant within five working days upon receiving the request for an informal hearing.

(1) If the Board denies the request for an informal hearing, the Board shall render a decision on the appeal and provide the decision in writing to the complainant within ten working days.

(2) If the Board grants the request for an informal hearing, the Board shall schedule the informal hearing within forty-five working days upon receiving the request for an informal hearing. At the conclusion of the informal hearing, the Board shall render a decision and provide the decision in writing to the complainant within ten working days at the conclusion of the informal hearing.

(a) The Board may designate a committee of the Board to conduct an informal hearing with the complainant.

(b) The Board may permit the complainant to present witnesses.

(c) The Board will comply with the provisions of the Open Public Meetings Act and Bylaw 0162 regarding any public complaints, where applicable.

5. Reasonable efforts will be made to expedite time sensitive complaints.

B. Complaints Regarding a Support Staff Member

1. The complaint procedure set forth in A.1. above will be followed and the complainant will be directed to discuss the complaint first with the support staff member, if appropriate.

2. If the complaint cannot be resolved to the complainant's satisfaction at A.1. above, the complainant may follow the complaint procedure set forth in A.2. above.

3. If the complaint cannot be resolved to the complainant's satisfaction at A.2. above, the complainant may, within three working days of their meeting with the support staff member's supervisor, submit to the Superintendent a written request for a conference in accordance with A.3. above.

4. A complaint that is not resolved to the complainant's satisfaction by a conference with the Superintendent at A.3.c. above or that seeks a remedy beyond the Superintendent's authority may be appealed to the Board of Education in accordance with A.4. above.

C. Complaints Regarding an Administrative Staff Member or Supervisory Staff Member

1. The complainant shall discuss the complaint first with the administrative staff member or supervisory staff member who is the subject of the complaint.

2. An appeal of the discussion with the administrative staff member or supervisory staff member will be made directly to the Superintendent in accordance with A.3. above.

3. A complainant wanting to appeal the Superintendent's written disposition to the Board of Education shall follow the appeal procedures as outlined in A.4. above.

D. Complaints Regarding a Program, Practice, or Operation

1. A complaint regarding a district or school policy; procedure; program; or operation, including entitlement programs established by State or Federal law, should be addressed, initially, to the Superintendent who will refer the complaint to the appropriate administrator or supervisor.

2. A complaint that cannot be resolved to the complainant's satisfaction at D.1. above may be appealed to the Superintendent and, thereafter, the Board of Education in accordance with the procedures set forth in A.3. and A.4.

E. Complaints Regarding Textbooks, Instructional Supplies, and Resource Materials

1. Complaints regarding textbooks, instructional supplies, and resource materials used in the district shall be submitted in writing by the complainant to the Superintendent.

2. The written complaint shall, at a minimum, include:

a. The title, author, and publisher of the material at issue;

b. Sections of the material to which the complainant objects (by page(s) and item(s));

c. An explanation of the reason(s) for the objection;

d. The students or class for whom the material is intended; and

e. The way in which the material is used or presented to students.

3. Within seven working days of the receipt of the written complaint, the Superintendent shall appoint a review committee consisting of:

a. The head of the department in which the material is being used;

b. A teaching staff member in the subject area of the material;

c. A Board of Education member;

d. The Principal of the school in which the material is used or presented; and

e. Any other staff member designated by the Superintendent.

4. The review committee will meet to evaluate the complaint and review the material at issue.

a. The standards used by the review committee to review textbooks will be those set forth in Regulation 2510.

b. The standards used by the review committee to review instructional supplies will be those set forth in Regulation 2520.

c. The standards used by the review committee to review resource materials will be those set forth in Regulation 2530.

5. The review committee will report its findings and recommendations to the Superintendent within fifteen working days upon the appointment of the review committee.

6. The Superintendent will submit the review committee's findings and recommendations to the Board at the next regularly scheduled Board meeting.

7. If the Board acts to remove the material at issue or to limit access to the material at issue, its action will be accompanied by a statement of reasons for the removal or limitation.

    a. The Board shall render its decision within forty-five working days of receipt of the review committee's findings and recommendations.

8. A copy of the review committee's findings and recommendations and the Board's action, if any, will be given to the complainant within five working days of the Board's action.

9. The complainant will be informed, in writing, that a decision of the Board may be appealed to the Commissioner of Education as permitted by law.

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