

## 9130 PUBLIC COMPLAINTS AND GRIEVANCES

Any person or group having a legitimate interest in the schools of this district may present a request, suggestion, or complaint concerning district personnel, the educational program, instructional or resource materials, or the operations of the district. The Board directs the establishment of procedures for the hearing and settlement of requests and complaints that provide a means for resolving them fairly and impartially, permit appropriate redress, and protect district personnel from unnecessary harassment.

When a Board member is confronted with an issue, he/she will withhold comment, commitment and/or opinion and refer the complaint or inquiry to the Superintendent, who shall review the complaint according to established procedures.

Only in those cases where satisfactory adjustment cannot be made by the Superintendent and the staff shall communications and complaints be referred to the Board for resolution.

Any misunderstandings or disputes between the public and school district staff should, whenever possible, be settled by direct, informal discussions among the interested parties. It is only when such informal meetings fail to resolve differences that more formal procedures shall be employed. A complaint about a school program or personnel should be addressed to the Building Principal; a complaint about instructional or resource materials should be addressed to the Superintendent.

The Superintendent shall establish procedures for the hearing of requests and complaints regarding district personnel, the educational program, instructional and resource materials, and the operation of the school district. Procedures will be governed by the following guidelines:

1. The matter will be resolved initially, wherever possible, by informal discussions between or among the interested parties.
2. A matter that cannot be resolved informally may be appealed at successive levels of authority, up to and including the Board of Education.
3. The complaint and its immediate resolution will be reduced to writing at the first and at each successive level of appeal.
4. A reasonable period of time, not to exceed five working days, will be permitted for the filing of an appeal in writing at each successive level. A decision at each level of appeal must be rendered in writing no later than seven working days after the appeal is filed, except that the Board shall have forty-five calendar days to make its decision.



5. In the case of complaints about instructional or resource materials, the initial complaint must set forth in writing the author, title, and publisher of the materials as well as those specific portions of the material or the work to which objection is taken; the complainant's familiarity with the work; the reasons for the objection; and the use of the work in the schools. The Superintendent shall appoint a committee of professional staff members and community representatives to review the challenged material against the standards for the selection of resource materials established by Board policy. The committee will report its findings to the Board. No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board of Education, 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.
6. A complainant shall be notified that a decision of the Board may be appealed to the Commissioner of Education.

## Matters Regarding a Teaching Staff Member

**First Level.** If it is a matter specifically directed toward a teaching 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 reasoned explanation or take appropriate action within his/her authority and district rules and regulations. As appropriate, the staff member shall report the matter, and whatever action may have been taken, to the Building Principal.

**Second Level.** If the matter cannot be satisfactorily resolved at the first level, it shall be discussed by the complainant with the Building Principal.

**Third Level.** If a satisfactory solution is not achieved by discussion with the Building Principal, a written request for a conference shall be submitted to the Superintendent with a copy 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 action which the complainant wishes taken and the reasons why it is felt that such action be taken; and
- d. Should the matter be resolved in conference with the Superintendent, the Board shall be advised of the resolution.

Fourth Level. Should the matter still not be resolved, or if it is one beyond the Superintendent's authority and requires a Board decision or action, the complainant shall request in writing a hearing by the Board.

#### Matters Regarding an Administrative Staff Member

In the case of a complaint directed toward an administrative staff member, the general procedure specified above shall be followed. The complaint shall be followed. The complaint shall be discussed initially, with the person toward whom it is directed and if a satisfactory resolution is not achieved at this level, the matter shall be brought, as required, to higher levels terminating with the Board.

#### Matters Regarding a Non-Instructional Staff Member

In the case of a complaint directed toward a non-instructional staff member, the complaint is to be directed initially, toward the person's superior and the matter then brought, as required, to higher levels in the manner prescribed above.

#### Matters Regarding a Program or Operation

If the request, suggestion, complaint, or grievance relates to a matter of district or school policy, procedure, program, or operation, it should be addressed, initially, to the Building Principal or the head of the non-professional department who is most directly concerned and then brought, in turn, to higher levels of authority in the manner prescribed above.

#### Complaints Regarding Instructional Materials

It is recognized that opinions may differ on the appropriateness of any given instructional materials and equipment. Occasionally an individual or group may find instructional materials used in the schools which conflict with their views. Any resident of this district shall have the right to present a request, suggestion, or complaint in reference to the physical plant, playgrounds, subject matter, or instructional materials.



The Superintendent shall develop procedures to give careful consideration to such requests, suggestions or complaints. These procedures must provide that:

1. All such requests, suggestions or complaints be in writing;
2. Whenever possible the process be initiated and solved at the lowest effective level;
3. District response be courteous and prompt; and
4. Successive steps of appeal and mechanisms for review are available when necessary.

The use of challenged materials or equipment by class or school shall not be restricted until a final decision has been reached.

The final decision on controversial reading matter shall rest with the Board after careful examination and discussion of the book or reading matter with school officials or others the Board may wish to involve.

Adopted: May 26, 2009

