



Book	Policy Manual
Section	9000 Community Relations
Title	PUBLIC COMPLAINTS
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### 9130 - PUBLIC COMPLAINTS

Any person or group, having an interest in the operations of this District shall have the right to present a complaint concerning District personnel, the program, or the operations of the District. 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 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 District 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 complaints reaching the Board, Board members, and the administration shall be referred to the Superintendent for consideration according to the following procedure.

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

##### A. First Level

If it is a matter specifically directed toward an instructional or support staff member or an administrator, 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 the staff member's authority and District policies or administrative procedures.

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

##### B. Second Level

If the matter cannot satisfactorily be 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 at the second level, a written request for a meeting shall be submitted to the Superintendent (see Form 9130 F2). The Superintendent will assign a designee to address the complaint at this level. 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 attempts to resolve the issue that have been taken thus far; and
4. the action which the complainant wishes taken and the reasons why it is felt that such action be taken.

##### D. Fourth Level

If a satisfactory solution is not achieved at the third level, a written request for a meeting shall be submitted to the Superintendent.

If the complainant contacts an individual Board member to discuss the matter, the Board member shall inform the complainant that s/he has no authority to act in his/her individual capacity and that the complainant must follow the procedure described in this policy.

**Matters Involving Suspected Child Abuse, Substance Abuse, or Affects the Health, Welfare, and Safety of a Student**

Alleged misconduct by District employees which involves suspected child abuse or substance abuse or affects the health, safety, or welfare of a student shall be reported to the Superintendent. The matter shall be investigated and, if necessary, appropriate action taken.

**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 to the Board Chairman. This request shall 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 the 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 Chairman will consult with the Board attorney to determine the appropriate action.

**Matters Regarding Instructional Materials**

If the request, suggestion, or complaint relates to instructional materials such as textbooks, library books, reference works, and other instructional aides used in the District, see Policy 2520.

**Confidentiality**

Pursuant to State law, a complaint of misconduct against a District employee, and all information obtained pursuant to an investigation by the District of the complaint of misconduct, are confidential and exempt from inspection or copying until the investigation ceases to be active, or until the District provides written notice to the employee who is the subject of the complaint, in the manner set forth below, that the District has either:

- A. concluded the investigation with a finding not to proceed with disciplinary action or file charges, or
- B. concluded the investigation with a finding to proceed with disciplinary action and/or to file charges. If the investigation results in such a finding, the District shall also file a legally sufficient complaint regarding the misconduct as required by State law and Policy 8141 - Mandatory Reporting of Misconduct by Certificated Employees.

Any material that is derogatory to an employee shall not be open to inspection for an additional ten (10) days after the employee has been notified either:

- A. by certified mail, return receipt requested, to his/her address of record; or
- B. by personal delivery. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.

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                                   F.S. 1012.31

**Last Modified by Juli Schlarb on September 26, 2022**