

CITIZEN COMPLAINTS

It is recognized by the Board of Education that school districts exist to serve the students of the district and that the Board is ultimately responsible to the citizens of the District. While the Board can only be accountable to the citizens of the District as a whole, it is important to provide a means for individual citizens to register complaints regarding any matter over which the Board of Education has jurisdiction. It is also recognized that it is important to provide an orderly and timely procedure for the extension and response to citizen concerns and complaints. That procedure will ultimately provide an opportunity for appeal to the Board of Education.

Board of Education members do not have legal authority to manage District matters except when in attendance and acting at a meeting of the Board of Education. Board members receiving complaints from citizens should direct them to the Superintendent of Schools. Copies of this policy and appropriate guidelines will be provided to the complainant. Board members will not personally investigate complaints or issue directives to staff in an attempt to resolve complaints.

The Superintendent shall be held responsible to the Board of Education for these functions. Citizen complaints shall be identified as being in one of the following categories:

- Personnel
- Procedures
- Programs/Activities
- Board of Education policy and policy guidelines (see Exceptions on page 4)
- Elected Officials (See Exceptions on Page 4)
- Educational materials (See Exceptions on Page 4)
- Transportation (See Exceptions on Page 4)
- Student suspension and expulsion (See Exceptions on Page 4)

The Superintendent shall utilize the following guidelines to manage citizen complaints.

GUIDELINES:

Definitions

Responsible Person:

This term is used to indicate the person responsible for the delivery of the service. Examples would be the teacher, counselor, coach, cook, aide/educational assistant or assistant principal.

Complainant:

The citizen registering the complaint shall be made aware of complaint policy and procedure and be given a copy.

Immediate Supervisor:

Refers to the administrator or supervisor immediately responsible for the administration of the item of concern. In most cases, it would be the principal, but the complaint might be directed to another administrator, directors, coordinators or managers.

If unsure who to contact, or if any of the above persons are not immediately available, please call the Executive Assistant to the Superintendent and he/she will direct the complainant to the most appropriate individual.

Days:

Days shall mean days in which the Business Office is open.

Written responses:

Written responses shall include appropriate facts and the reason for the decision.

STEP 1 – Responsible person

An oral or written presentation of the complaint to the “responsible person”. This may occur by telephone, email, letter, or in person. In instances where the issue is complex or where personal contact is more appropriate, it is suggested that a personal conference be arranged.

If unsure who to contact, or if any of the above persons are not immediately available, please call the Executive Assistant to the Superintendent and he/she will direct the complainant to the most appropriate individual.

In those instances where it is not possible or not considered appropriate by the complainant to deal with the responsible person, the complainant may elect to extend the complaint to the immediate supervisor.

STEP 2 – Immediate Supervisor

If the complainant is not satisfied after interacting with the responsible person, the complainant may then request a conference with the Immediate Supervisor connected with the issue or topic in question. Such appeal must be in writing and shall include at least all prior decisions and a statement of the concern and reasons for the appeal.

Within two business days, the Immediate Supervisor will contact the complainant to coordinate a mutually agreed upon date and time to meet with the complainant. The Immediate Supervisor will respond with a written response in a timely manner and within

10 business days following the meeting, unless additional time is needed to gather information, in which case, the complainant will be given a timeline.

STEP 3 – Superintendent or Respective Designee

If the complainant is not satisfied with the decision at Step 2, the complainant may appeal to the Superintendent within 10 business days of receipt of the response in Step 2. Such appeal must be in writing and shall include at least all prior decisions and a statement of the concern and reasons for the appeal.

Within two business days of receipt, the Superintendent or respective designee will contact all parties involved to begin coordination of a mutually agreed upon date and time to meet. The Superintendent or respective designee will provide a written response in a timely manner and within 10 business days following the meeting, unless additional time is needed to gather information, in which case, the complainant will be given a timeline.

In instances where the Superintendent has assigned a respective designee to handle the complaint at this Step, and the complainant is not satisfied with the designee's decision, Step 3 shall repeat. At this juncture, the Superintendent shall handle the complaint. The appeal must be to the Superintendent within 10 business days of receipt of the designee's decision. Such appeal must be in writing and shall include at least all prior decisions and a statement of the concern and reasons for the appeal.

Within two business days of receipt, the Superintendent will contact all parties involved to begin coordination of a mutually agreed upon date and time to meet. The Superintendent will provide a written response in a timely manner and within 10 business days following the meeting, unless additional time is needed to gather information, in which case, the complainant will be given a timeline.

STEP 4 – Board of Education

If the complaint is not resolved to the satisfaction of the complainant in Step 3, it may be advanced within ten business days of receipt of the response in Step 3 to the Board of Education. Such appeal must be in writing and shall include at least all prior decisions and a statement of the concern and reasons for the appeal. Such appeal must be made to the Board of Education directed to the President of the Board of Education. The Superintendent will provide the Board with a report on the matter.

Within 30 business days of the receipt of the request for Board of Education review, the Board will vote to determine whether to hold a hearing on the matter and will communicate its decision to the complainant in writing. If a hearing is held it will be subject to the Wisconsin Statutes relative to an executive session. The Board will render a decision in writing to the complainant within 30 business days of the Board of Education hearing on the matter. If the Board decides not to conduct a hearing, the superintendent's decision becomes final.

EXCEPTIONS:

Procedural Exceptions by Category of Complaint:

1. Board of Education Policy and Policy Guidelines:

Complaints concerning a Board policy will be initiated at Step 3 directly to the Superintendent.

2. Educational Materials

Complaints concerning educational materials will be considered according to Policy 361.1.

3. Transportation

Complaints concerning transportation will be considered according to Policy 751.

4. Student Suspension and Expulsion

Complaints concerning students suspension and expulsion will be considered under Policy 447.3.

5. Elected Officials

The individual members of the Board will conduct themselves in a manner consistent with all applicable Board policies. The Board understands that from time to time a citizen of the District may believe that an individual Board member has acted in a manner that is not consistent with Board policies and may file a complaint involving an individual Board member. All such complaints should be in writing and signed by the complainant. The complaint should be filed with the Board President, or if the complaint involves the Board President, with the Board Vice-President. The Board will be notified of the complaint and will be provided with a copy of the complaint. Depending on the nature of the complaint, the name of the citizen filing the complaint may not be immediately disclosed. The Board member involved will be informed, and will be given every opportunity for explanation, comment and presentation of the facts as he/she sees them. If the nature of the complaint allows disclosure of the citizen filing the complaint, then he/she will also be given the opportunity to meet with the person(s) making the complaint, if the complaining party is willing to do so, for the purpose of resolving the matter.

The complaint will be forwarded to the District's legal counsel for review and additional fact-finding as needed. The District's legal counsel will make a recommendation to the Board as to whether the complaint should be dismissed as there is no potential violation of Board policies or if it should be advanced to the full Board for a determination as to whether the conduct occurred and if so, whether the conduct violated Board policy. The Board member who is the subject of the complaint may be present at the closed session when the District's attorney presents the legal review and recommendation but may not participate in the discussion or vote on

whether to advance the complaint to the full Board. If the complaint is not advanced to the Board for consideration, the complainant will be notified in writing as to the dismissal of the complaint and the reasons for such dismissal.

If the Board decides to consider the complaint at a special or regular meeting, the complainant and the Board member who is the subject of the complaint will be provided an opportunity to provide any facts or other information that is relevant to the complaint to the Board. The complainant will be able to have a person of his/her choice accompany him/her to this meeting as an advocate/witness pursuant to legal applicability under FERPA (Family Education Rights and Privacy Act). Any such meeting will be conducted in open session unless the nature of the complaint meets one of the statutory exceptions to the open meetings law. The meeting is not an evidentiary hearing. The Board member, who is the subject of the complaint, will not be allowed to participate in the Board's discussion of the complaint or vote on any Board action concerning the complaint. If the complainant and individual Board member are not present when the Board takes action on the complaint, they will be notified in writing of the Board's decision

The Board will conduct any such meeting in a fair and equitable manner.

Any responsible person or immediate supervisor who neglects to follow this policy shall be subject to disciplinary action in accordance with the Employee Handbook.

Legal Reference: FERPA (Family Education Rights and Privacy Act)

Adopted: November 8, 1982
Revised: 04/04/2011, 03/20/2017