

PUBLIC COMPLAINTS

The School District of Jefferson's Board of Education, administrative staff, and professional staff strive to provide quality educational services. The programs and policies of the Board are designed with the intent to provide a safe and healthy environment that fosters student growth and enriches learning. The district recognizes that to successfully meet this intent the Jefferson community, parents/guardians, students, school staff, and Board must work as a team. As with all large organizations, problems may occur that require the attention of the organization to reach a resolution. When problems occur, established procedures may be used by the district to reach a resolution. The Board of the School District of Jefferson provides clear, responsible vehicles to address complaints of all its constituents.

Board members who receive an identified or anonymous complaint shall refer the complaint to the Superintendent. The Superintendent shall then inform the appropriate administrator. In the event the complaint is regarding the Superintendent, the issue should be referred to the Board President. If the complaint is regarding a Board member, the issue shall be referred to the Board President or Vice President if it is regarding the Board President. The Board President or Vice President shall then inform the appropriate Board member.

Complaints about instructional/library materials or curriculum shall be handled in accordance with procedures found in Board Policy KLB, Public Complaints about Instructional or Library Materials.

This policy does not preclude any complaint procedures contained in civil or criminal procedures or the district's Employee Handbook.

Notices shall be given annually of the district's complaint procedures to students, parents/guardians, employees, and the community through inclusion of this policy in the district's Family Information Publication. The Superintendent shall annually provide public notice of the district's complaint policy and procedures.

The Superintendent shall annually provide a report to the Board regarding all formal complaints and their resolution no later than the August regular Board meeting.

ADOPTED: September 22, 1997

REVISED: March 22, 1999
April 23, 2012
February 24, 2014

LEGAL REFS.:

CROSS REF.: KLA-R, Public Complaint Procedures
KLB, Public Complaints about Instructional or Library Materials
Employee Handbook

REVIEW DATE: February 24, 2014

PUBLIC COMPLAINT PROCEDURES

The following procedures shall be used to address concerns of all constituents, other than concerns about instructional/library materials or the curriculum. Complaints about instructional/library materials or curriculum shall be addressed in accordance with procedures in Board Policy KLB, Public Complaints about Instructional or Library Materials.

There are three different procedures for the filing and handling of public complaints: (a) procedures for addressing complaints with the individual directly involved with the issue; (b) formal complaint procedures; and, (c) procedures for addressing verbal complaints with other than the individual directly involved and anonymous complaints.

I. Procedures for Addressing Complaints with the Individual Directly Involved with the Issue

A. If the complaint is related to the classroom:

1. The concerned party is encouraged to contact the classroom teacher first.
2. If the classroom teacher does not satisfactorily address the complaint, the concerned party should contact the building principal.
3. If the building principal does not satisfactorily resolve the complaint, the concerned party should contact the Superintendent.
4. If the concerned party cannot determine whom to call and wants/needs more information or does not understand the process, the concerned party may call the district office (920-675-1010) for assistance.

B. If the complaint is related to a particular school, the concerned party should:

1. Contact the building principal.
2. If the building principal does not satisfactorily resolve the complaint, the concerned party should contact the Superintendent.
3. If the concerned party cannot determine whom to call and wants/needs more information or does not understand the process, the concerned party may call the district office (920-675-1010) for assistance.

C. If the complaint is related to the district, the concerned party should:

1. Contact the Superintendent.
2. If the concerned party cannot determine whom to call and wants/needs more information or does not understand the process, the concerned party may call the district office (920-675-1010) for assistance.

- D. If the complaint is related to the Superintendent or a member of the Board of Education:
 - 1. A signed letter should be mailed to the Board President, or Vice President if the complaint is regarding the Board President.
 - 2. The Board President or Vice President shall determine an appropriate course of action which may include a meeting with the appropriate Board committee or the full Board of Education.

II. Formal Complaint Procedures

Under this policy, any person may file a complaint by submitting a signed written complaint. This complaint procedure covers all complaints other than complaints about instructional/library materials or the curriculum. For example, it includes concerns regarding the relationship between staff and students or parents/guardians. This procedure does not preclude alternative procedures for specific matters for which other procedures are in place such as: lawsuits, grievances, discrimination claims, legal claims that have been filed against the district, criminal investigations, Juvenile Court proceedings, special education appeals, claims pending before an administrative agency, claims which are subject to a hearing before the Board or other administrative body, other complaints for which an investigation may be inappropriate, such as changes in Board policy, etc.

- A. Prior to filing a complaint, the concerned party may meet with the Superintendent. The purpose of such a meeting is to: (a) explain the Board's complaint policy and these procedures and provide the complainant with a copy; (b) gather information and answer questions; and, (c) assist the complaining party, as appropriate.
- B. The complainant shall provide a signed, written complaint and file it with the Superintendent within 20 days after the alleged act(s) occurred or within 20 days of the last occurrence of an ongoing condition. The Superintendent's office is located at the district office, 206 South Taft Ave., Jefferson, WI 53549. A complaint shall be deemed filed on the date received if delivered or on the date postmarked if mailed.

After a complaint has been filed: (a) the Superintendent shall be responsible for processing the complaint; and, (b) either the complainant or each party against whom the complaint has been filed may meet with the Superintendent individually. The Superintendent may also schedule a meeting with the complainant and the party(ies) against whom the complaint has been filed together as deemed necessary and/or appropriate to discuss the complaint and seek resolution regarding the complaint.

- C. The Superintendent shall send to the complainant a written acknowledgement of the receipt of the complaint as soon as practicable and, unless a copy has already been provided, a copy of the complaint procedures shall be sent to the complainant.
- D. The Superintendent shall establish a complaint file. The file shall contain all documents pertinent to the complaint. The file should include, but should not be limited to: (a) the complaint; (b) documents compiled as part of the investigation; and, (c) a statement of resolution, if any.

- E. Within seven days of receiving a complaint, the Superintendent shall notify each party against whom the complaint has been filed that a complaint has been filed and provide a copy of the general complaint procedures.
- F. The Superintendent shall send each party against whom the complaint has been filed a copy of the complaint. To protect the complainant's identity,* the Superintendent may redact any reference to his/her identity from the copy of the complaint.
- G. Prior to processing the complaint, the Superintendent shall coordinate a meeting with the complaining party and the party(ies) against whom the complaint is being filed.* Should either party feel that no such meeting should be held, he/she may provide to the Superintendent a compelling reason why no meeting should be held. Examples of compelling reasons may include the fact that previous meetings between the parties have been held without a satisfactory resolution of the complaint, that a meeting could result in violence, that a party may feel threatened or intimidated by having further contact, by mutual consent of both parties, the complainant wishes to keep his/her identity confidential, etc. The party making the request not to meet shall be required to provide the underlying basis for his/her compelling reason. If the Superintendent, after reviewing the basis for not holding a meeting, determines that a meeting should be held, a meeting shall be held.

Either party may appeal within 10 business days to the Board of Education the Superintendent's determination that a compelling reason has or has not been provided. If on appeal the Board of Education reverses the Superintendent's decision, it shall remand the case back to the Superintendent for further proceedings.

The Board of Education's decision regarding the compelling reason shall be final. Should an employee refuse to meet, he/she could be subject to discipline consistent with the terms of the Employee Handbook, if such agreement is applicable. Such discipline could include any action from an oral warning to dismissal. Should the complainant refuse to meet, his/her complaint may be dismissed.

If the Complainant is not satisfied with the Superintendent's decision, the Board President may consider any request received by a Complainant to appear before the appropriate Board committee or the full Board of Education. Such request must be made in writing and justification for said request must be outlined in the written request. The Board President shall distribute a copy of the written complaint to all Board members. If a hearing before the appropriate Board committee or the full Board is deemed appropriate, the Board committee or full Board retains the right to identify if said hearing will be held in Open Session or Closed Session, in compliance with Wisconsin State Statutes and the nature of the complaint.

- H. All complaints shall be finalized with a written response from the highest level of management involved in the resolution of the complaint.

Any party has a right to contact and otherwise communicate with any person including a district employee who consents to such contact or communication regarding matters pertaining to the complaint. No district employee shall attempt to or restrain, interfere with, coerce, discriminate and/or take reprisal action against

the complainant(s) and his/her witnesses or any other person in connection with the complaint or the procedure related thereto during or after the presentation, processing, and resolution of a complaint.

*It is important for citizens to understand that formal complaints processed under these procedures may become part of the public record. The question of whether a complaint can be maintained with confidentiality may be an issue beyond the control of the district. It is the policy of the district not to keep the identity of a complainant confidential. Should the complainant indicate to the Superintendent that he/she wishes to keep his/her identity confidential, the complainant must satisfy the requirements of II.G. and the Superintendent must make a determination that nondisclosure of the complainant's identity will not make the complaint impossible to process or investigate. Should the complainant satisfy the requirements of II.G. and nondisclosure of the complainant's identity will not make the complaint impossible to process or investigate, then the complainant's identity shall be kept confidential, except as otherwise required by law. However, should the complainant desire to keep his/her identity confidential, but he/she either does not notify the Superintendent of his/her desire, does not satisfy the requirements of II.G. or should it be impossible to process or investigate the complaint without disclosing the complainant's identity, as determined by the Superintendent the complaint may be dismissed.

III. Procedures for Resolving Verbal Complaints with Other than the Individual Directly Involved and Anonymous Complaints

- A. Verbal and anonymous complaints may be filed with the Superintendent. Once filed, such complaints may be resolved on an informal basis (without a full investigation). Any person may be appointed by the Superintendent to act as a facilitator.
- B. The Superintendent shall request the party(ies) against whom the complaint is filed to seek a solution of the matter on an informal basis, and to respond to the complaint within 20 working days.

2/24/14