

PERSONAL COMPLAINTS: SCHOOL PERSONNEL

**PROCEDURE FOR PERSONAL COMPLAINTS OF SCHOOL PERSONNEL OR
COMPLAINTS AGAINST SCHOOL PERSONNEL:**

1. It is the policy of the Board that complaints of any nature be initiated at the lowest level and, where possible, resolved through free and informal communications.
2. Employee complaints about other school personnel shall be made to the employee's immediate involved supervisor and, if not settled satisfactorily at that level, proceed through the levels of District administration. At each level, the complaint should be in writing. A written response will be provided by that authority no more than ten (10) school days from notification or the complainant(s) may then advance to the next level. If the complaint cannot be resolved at the Superintendent level, the employee may request a meeting with the School Board. Events or conditions that create complaints or claims that should be considered under the provision of a collective bargaining agreement shall not be considered through this policy.
3. Complaints about school personnel shall be made initially to that employee. If it is not satisfactorily resolved at that level, complaints shall proceed through the levels of District administration to the School Board. After contact with the employee directly, all requests should be made in writing to each authority. A written response will be provided to the complainant within ten (10) school days of notification or the complainant(s) may then advance to the next level. Complaints against school personnel shall be submitted in writing to the School Board prior to the Board considering such a complaint. The District employee shall have the right to be present while any complaint concerning that employee is heard by the Board.
4. Any written complaint must be acknowledged within forty-eight (48) hours. Within five (5) school days of receipt of a written complaint, the administrator will meet with the complainant. The administrator will provide a written response within five (5) school days following any such meeting. Failure to respond within the time frame will allow the complainant to advance to the next administrative level.
5. The Board shall have sole discretion as to whether or not complaints shall be heard. The Board shall determine if the complaint will be heard in non-public session in compliance with RSA 91-A.

Adopted: April 8, 1991
Revised: March 11, 2002

SCHOOL ADMINISTRATIVE UNIT 79

KEB

PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL, EMPLOYEES, STUDENTS OR ADMINISTRATION

Any complaint presented to the Board about school personnel, employees, students or administration, will be referred back to the Superintendent. The Board will not hear or review complaints until such complaints have first been brought forward through the appropriate and applicable administrative procedures and the Superintendent or his/her designee has had a reasonable opportunity to seek to resolve the complaint.

The Board may decline to hear any complaint, which will interfere with its ability to serve as an impartial trier of fact in any related student or personnel matter. This complaint procedure shall not supersede or modify any right held by employees of the District under federal law, state law, contract or collective bargaining agreement.

To the extent it is deemed appropriate by the Superintendent, the individual who is the subject of the complaint may be advised of the nature of the complaint and may be given an opportunity for explanation, comment, and presentation of the facts. The Superintendent shall seek to resolve the matter and report to the Board.

Complaints about the Superintendent may be made directly to the Board through the Clerk, but only after reasonable efforts have been made by the complaining party to resolve their complaint directly with the Superintendent. The Board may, to the extent it is appropriate, advise the Superintendent of the nature of the complaint and may give the Superintendent an opportunity for explanation, comment and presentation of the fact.

In the event a complaint is made directly to an individual Board member, the procedure outlined below shall be followed:

1. The Board member shall refer the person making the complaint to the Superintendent for investigation. The Superintendent may delegate the investigation to a Principal or other administrator.
2. If the member of the public will not personally present the complaint to the Superintendent or Principal, the Board member shall then ask that the complaint be written and signed. The Board member will then refer the complaint to the Superintendent for investigation.
3. If the person making a complaint believes that a satisfactory reply has not been received from the Superintendent, he or she may request that the Board hear the complaint. The Board will hear and act upon the complaint only by majority vote. The Board may decline to act on any complaint which, in its sole judgment, would interfere with the Superintendent's ability to properly administer the district. If the Board does not hear and act upon the complaint, all Board decisions shall be final.

**PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL,
EMPLOYEES, STUDENTS OR ADMINISTRATION**
(Continued)

4. If the Board decides, in accord with Paragraph Three, to hear and act upon a complaint that pertains to personnel, employee, student or administrative matters, it shall determine whether the complaint shall be heard in public or non-public session in accord with RSA 91-A:3 and the laws pertaining to student and family privacy rights. The Board shall also determine whether it is appropriate to inform the individual who is the subject of the complaint of the meeting and to provide said individual with further opportunity for explanation, comment and presentation of the facts to the Board.
5. If the Superintendent is the subject of the complaint, the Board shall determine whether the complaint should be heard in public or non-public session in accord with RSA 91-A:3. The Board may, to the extent it is appropriate, advise the Superintendent of the nature of the complaint and may give the Superintendent an opportunity for explanation, comment and presentation of the facts.

1st Reading: November 9, 2010
2nd Reading: October 11, 2011
Adopted: October 11, 2011

POLICY ON RECONSIDERATION OF INSTRUCTIONAL MATERIALS

Persons not in agreement with the school on its selection of books or other instructional material and who wish a particular book or material to be reviewed must submit to the Principal a “Request for Reconsideration of instructional Materials.” The request forms are available at the school office.

The Principal, upon receipt of a “Request for Reconsideration” will acknowledge receipt to the complainant and list unanticipated steps to be taken. The Principal will then notify the Book Review Committee and schedule meetings necessary to review the complaint and to write a report.

The final report will be forwarded to the complainant and the Superintendent of Schools. If the complainant is dissatisfied, the next step is to submit the request for the Superintendent of Schools for action. If the complainant does not accept the Superintendent’s decision, the complainant may request a review by the School Board, whose decision will be final.

During the investigation the instructional material will remain in use unless a Selection Committee votes to remove or restrict the material until a final decision is made.

1st Reading: February 14, 2012
2nd Reading: March 6, 2012
Adoption: March 6, 2012

FACILITIES OR SERVICES – GRIEVANCE PROCEDURE (SECTION 504)

1. Any qualified handicapped person, or persons, who feels subject to discrimination with respect to Section 504 of the Rehabilitation Act has the right to file a formal grievance.
2. Any qualified handicapped person, or persons, who has a grievance shall discuss it first with the appropriate building Principal in an attempt to resolve the matter informally at that level.
3. If, as a result of the discussion, the matter is not resolved to the satisfaction of the aggrieved party within five (5) school days, the aggrieved party shall set forth the grievance in writing to the Principal. The Principal shall communicate his/her decision to the aggrieved party in writing within five (5) school days of receipt of the written grievance.
4. The aggrieved party, no later than five (5) school days after receipt of the Principal's decision, may appeal the Principal's decision to the Section 504 Coordinator. The appeal to the Coordinator must be made in writing reciting the matter submitted to the Principal and the aggrieved party's dissatisfaction with decision previously rendered. The Coordinator shall meet with the aggrieved party to attempt to resolve the matter as quickly as possible, but within a period not to exceed five (5) school days. The Coordinator shall communicate his/her decision in writing to the aggrieved party and the Principal not later than five (5) school days after the meeting.
5. If the grievance is not resolved to the aggrieved party's satisfaction, the aggrieved party, no later than five (5) school days after receipt of the Coordinator's decision, may submit a written request for a hearing with the local School Board regarding the alleged discrimination through the Superintendent of Schools. The hearing will be held within thirty (30) calendar days of the written request. The School Board must provide the aggrieved party with a written decision on the appeal within ten (10) calendar days after the hearing.
6. Between the date the aggrieved party requests the hearing and the date the hearing is held, the aggrieved party and the School District may continue to negotiate. If the School District and aggrieved party agree on a mutual solution to the alleged discrimination, the hearing would be canceled.
7. The decision of the School Board is final pending any further legal resources as may be described in current local district, state or federal statutes pertaining to Section 504 of the Rehabilitation Act of 1973.

Legal References:

Section 504 of the Rehabilitation Act of 1973

34 C.F.R. – 104.7 (b), Adoption of Grievance Procedures

1st Reading: February 23, 2009

2nd Reading: March 9, 2009

Adopted: March 9, 2009