**WALWORTH POLICY: 870.1**

**ADMINISTRATIVE REGULATIONS**

**PUBLIC COMPLAINTS**

1. Complaints Made to the Board of Education

The Board supports the chain of command and encourages the discussion of complaints at the lowest level unless prohibited by law. Therefore, whenever a verbal complaint is made directly to the Board as a whole or to an individual Board member, it will be referred to the District Administrator. The District Administrator may direct the complaint to the Principal or to another staff member when appropriate to do so. Resolution of this complaint begins with discussion and conflict resolution strategies.

The Board will consider hearing citizen complaints when they cannot be resolved by Administration. Citizens’ complaints that reach the level of the Board must be written and signed.

2. Written Complaints

In the case where the complainant submits a signed written complaint that includes specific terms of the complaint and the desired action, then the chain of command procedures and timelines outlined in the Administrative Regulations for this Policy will be followed.

a. The signed complaint should be submitted to the District Administrator unless the

complaint is about the District Administrator. In such cases, the written complaint should be directed to the Board President.

b. The District Administrator will notify the Board of all written and signed

complaints (email submission included) received by Administration. The Board will receive updated notifications until the complaint has been resolved.

c. The District Administrator shall investigate written and signed complaints and

prepare a written report within forty-five (45) working days after receipt of the complaint. If additional time is needed to complete the investigation and/or report, a letter will go out to the complainant explaining the need for additional time postmarked within forty-five (45) working days of the complaint. Updates will be provided to the complainant every 15 working days thereafter until the report has been completed. The same guidelines will be followed if the complaint is about the School District Administrator. The investigation and the preparation of a written report shall be conducted with the direction of the Board.

d. If the complaint is not resolved by the Administration or other person’s response,

the complainant may request, in writing and postmarked within seven (7) working days after receipt of the written report, that the Board conduct a hearing to review the matter.

e. The determination, for a hearing, must take place at an official Board of Education meeting. In order to determine the need for a hearing, the Board must determine if the complaint involves a substantial question of policy or if an independent investigator is necessary to address the complaint (unless an independent investigator investigated the complaint at earlier stages in the process. If such is the case, the Board in its sole discretion, may decide to engage or not engage another independent investigator).

f. If the Board decides to conduct a hearing, any individual named in the complaint

shall be notified and advised of his/her right to be present at the hearing. The Administration shall notify the complainant(s), the individual(s) named in the complaint and other persons named in the investigation of the date and time established for the hearing.

g. The Board will conduct the hearing, establish timelines, and decide if the

hearing should be held in open or closed session.

h. The decision of the Board shall be considered the final resolution for the specific

issue. It shall be recorded in writing.

3. Public Complaints Regarding Policies, Facilities or Service

Citizens who have a concern/complaint about School District policies, programs, or activities should discuss their concern/complaint first with appropriate School District personnel to achieve resolution. Normally, the first contact would be at the school level with the teacher, principal, or other school employee. If the complaint cannot be resolved at the school building level, the District Administrator should be contacted.

4. Public Complaints About School District Personnel

The Board places trust in its employees and desires to support their actions. Whenever a complaint involves an individual employee, that employee will be advised by the Administration of the nature of the complaint and given every opportunity for explanation and comment. If it appears necessary, an executive session of the Board for the purpose of fuller study or a decision may be requested by the Administration, the person who made the complaint, or the employee involved.

If the complaint is specifically about the District Administrator, the complaint should be referred to the Board President.

5. Public Complaints About Instruction

The Walworth Board of Education assumes full responsibility for the selection of all library and instructional materials used in the district as well as adoption of the curriculum and educational standards. The Board of Education recognizes that without a free and vigorous exchange of ideas that learning and teaching cannot take place effectively.

The Board of Education also recognizes that parents/guardians and the public have a right to express concerns about the curriculum and instructional/library materials used by the District. When parents have a concern about the instructional materials, the concern shall first be addressed to the Principal. If the complaint cannot be resolved at that level, the District Administrator should be contacted.

6. Complaints of Discrimination

If a pupil’s parents/guardians, or residents of the School District believe that they have been discriminated against,they may file a complaint with the District. Procedures for discrimination complaints can be found in the policies listed in the Cross References in the policy.

If the complainant has gone through all the steps of the District’s

complaint procedure and are not satisfied with the outcome, they may file an appeal with the Department of Public Instruction within 30 days of the date of the District’s final action. The Department of Public Instruction may not consider the appeal unless the complainant has gone through all the steps of the District’s Discrimination Complaint procedures and a final decision has been issued by the District.

If a complaint is about discrimination because of race, sex, age, disability or national origin, the complainant may also file a complaint with the Office for Civil Rights of the United States Department of Education. A complaint must be filed with the Office for Civil Rights within 180 days (about six months) of the date the discrimination occurred. The complainant does not have to file a complaint with the School District before filing a complaint with the Office for Civil Rights, and the complainant may file complaints with both the School District and the Office for Civil Rights if the complainant wishes to do so.

7. Special Educational Needs

If a complaint is about the special educational needs of a child, there is a different complaint and appeal process. The complainant should contact the Department of Public Instruction’s Special Education Team.

8. Bullying and/or Harassment

Every citizen has the right to be free from bullying and harassment. If a pupil, parents/guardians, or residents of the School District believe that they have been bullied or harassed while attending school or school events, or bullied or harassed by a school employee in the capacity of their employment with the District, the individual may file a complaint with the District.

Bullying may be intentional or unintentional. However, when an allegation of bullying is made, the intention is irrelevant. The District considers the following types of behavior examples of bullying.

a. Verbal Bullying: Slander, ridiculing or maligning a person or his or her family;

persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes, abusive and offensive remarks.

b. Physical Bullying: Pushing shoving, kicking, poking, tripping, assault or threat of

physical nature, damage to a person’s work area or property.

 c. Gesture Bullying: Non-verbal threatening gestures; glances that can convey

threatening messages.

 d. Exclusion: Socially or physically excluding or disregarding a person in work-

related activities.

While bullying and harassment are similar, harassment is different from bullying in that it is a form of discrimination.

All complaints of bullying should follow procedures outlined in Written Complaints of the Administrative Regulation. Harassment complaints should follow procedures outlined in Complaints of Discrimination.

Walworth Jt. District #1 does not discriminate on admissions to any school, class, program, or activity on the basis of sex, race, religion, national origin, creed, pregnancy, marital status, parental status, sexual orientation, or physical, learning, emotional, or mental disability. All discrimination complaints shall be processed in accordance with established procedures.

**LEGAL REFERENCE:** Sections 118.13

Wisconsin Administrative Code PI 9.03

**CROSS REFERENCE:** 411-Equal Educational Opportunities

**POLICY ADOPTED:** April 27, 1992

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