

H225 - PUBLIC COMMENTS AND CONCERNS

Public Comments

Any requests, suggestions, complaints, or concerns reaching the Board, Board members, and the administration shall be referred to the Superintendent for consideration according to the following procedure.

Public comment about the School Corporation is welcomed by the School Board whenever it is motivated by a sincere desire to improve the quality of the educational program. Any person or group having an interest in the operation of the Corporation shall have the right to present a request, suggestion, comment, or concern relating to personnel, the programs, or the operations of the Corporation.

Comments and concerns related to curriculum, methods of instruction, instructional materials, or Corporation employees shall be submitted in writing to the principal of the school and the Superintendent. Comments and concerns thus submitted will be considered by the Superintendent or his or her designated assistants and the principal. At the discretion of the Superintendent, a committee may be appointed, an existing committee may be utilized, or other action may be taken to review the matter in question and submit a written decision to the Superintendent.

Subject to the reasonable rules and registration process described below, the Board shall allow members of the public, physically present at a meeting, to provide oral comment before the Board takes final action on a topic. The Board may choose to allow public comment during an electronic meeting held during a declared emergency or local disaster. At his or her sole discretion, the Board President may permit public comment on issues not listed as a public agenda item.

- a. To allow for an efficient meeting, the total amount of time dedicated to public comment shall not exceed thirty (30) minutes. The Board may increase the time allotted for public comment in order to meet obligations under law.
- b. The Board shall allot each person providing public comment two (2) minutes to speak.
- c. Persons wishing to address the Board on an agenda item shall register one (1) business day ahead of the scheduled meeting time by completing the appropriate form. The registration form will include the name of the person(s) providing comment, the organization represented (if any), and identify the agenda item to be addressed.
- d. No person may speak more than once on the same topic.
- e. In order to receive public comment on all agenda items scheduled for final action, the Board will take speakers on a first-come, first-served basis according to the date and time of registration. If the overall time allotment does not allow for accommodation of all speakers, comment will rotate through agenda items to assure the Board hears comment on all agenda items. For example, the Board would hear comment from the first person to register to speak regarding agenda item 1, then the first person to register to speak regarding agenda item 2, and so on and so forth for each agenda item scheduled for final action at the meeting. The Board would then

repeat that process, moving to the second, third, fourth, etc., person registered to speak on each agenda item until all registered speakers have spoken or the thirty (30) minute time limit expires, whichever occurs first.

The purpose of public comment is to give the Board members as much information as possible, not to engage in debate. Board members or administrators may provide answers to questions asked during public comment if the information is readily available and not confidential. Often, however, questions will not be answered, but taken under advisement and answers may be returned at a later time.

The Board will not tolerate comments that are: threatening, harassing, illegal, obscene, defamatory, personal attacks, or on a topic outside of the agenda. Comments should be directed to the Board, not an individual Board member.

Nothing in this policy prohibits the Board from taking reasonable steps to maintain order in a meeting, including removal of any person who is willfully disruptive of the meeting.

Public Concerns

Matters Regarding a Professional Staff Member

A. First Level

If it is a matter specifically directed toward a professional staff member, 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 reasonable explanation or take appropriate action within his/her authority and District administrative guidelines. This level does not apply if the matter involves suspected child abuse, substance abuse, or any other serious allegation which may require investigation or inquiry by school officials prior to approaching the professional staff member.

B. Second Level

If the matter cannot be satisfactorily 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 by discussion with the staff member's supervisor, a written request for a conference shall be submitted to the Superintendent. 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 action which the complainant wishes taken and the reasons why it is felt that such action be taken.

Should the matter be resolved in conference with the Superintendent, the Board may be advised of the resolution.

D. Fourth Level

Should the matter still not be resolved, or if it is one beyond the Superintendent's authority and requires a Board decision or action, the complainant shall request, in writing, a hearing by the Board.

The Board, after reviewing all material relating to the case, may

1. provide the complainant with its written decision.
2. grant a hearing.
 - a. before the Board.
 - b. before a committee of the Board.

The complainant shall be advised, in writing, of the Board's decision, no more than ten (10) business days following the hearing. The Board's decision on the matter will be final, and it will not provide a hearing to other complainants on the same issue.

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 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 for a conference to the Board. This request should 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 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, after reviewing the request, may grant a hearing before the Board or a committee of the Board or refer the matter to an executive session.

The complainant shall be advised, in writing, of the Board's decision within thirty (30) business days. The Board's decision will be final and not subject to appeal.

Matters Regarding an Administrative Staff Member

Since administrators are considered members of the District's professional staff, the general procedure specified in "Matters Regarding a Professional Staff Member" shall be followed.

Matters Regarding a Support Staff Member

In the case of a support staff member, the complaint is to be directed, initially, toward the person's supervisor, and the matter then brought as required to higher levels in the same manner as prescribed for "Matters Regarding a Professional Staff Member."

Matters Regarding District Services or Operations

If the request, suggestion, complaint, or concern relates to a matter of District procedure or operation, it should be addressed, initially, to the program supervisor/building principal and then brought, in turn, to higher levels of authority in the manner prescribed in "Matters Regarding a Professional Staff Member."

Matters Regarding the Educational Program

If the request, suggestion, complaint, or concern relates to a matter of District program, it should be addressed, initially, to the principal and then brought, in turn, to higher levels of authority in the manner prescribed in "Matters Regarding a Professional Staff Member."

Matters Regarding Instructional Materials

The Superintendent shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their right to inspect instructional materials and the procedure for completing such an inspection.

If the request, suggestion, complaint, or concern relates to instructional materials such as textbooks, library books, reference works, and other instructional aids used in the District, the following procedure shall be followed:

A. The criticism is to be addressed to the principal, in writing, and shall include:

1. author;
2. title;
3. publisher;
4. the complainant's familiarity with the material objected to;
5. sections objected to, by page and item;
6. reasons for objection.

- B. Upon receipt of the information, the principal shall appoint a review committee which may consist of
 - 1. one (1) or more professional staff members;
 - 2. one (1) media specialist;
 - 3. one (1) parent.
- C. The committee, in evaluating the questioned material, shall be guided by the following criteria:
 - 1. the appropriateness of the material for the age and maturity level of the students with whom it is being used
 - 2. the accuracy of the material
 - 3. the objectivity of the material
 - 4. the use being made of the material
- D. The material in question may be withdrawn from use pending the committee's recommendation to the Superintendent.
- E. The committee's recommendation shall be reported to the Superintendent in writing within ten (10) business days following the formation of the committee. The Superintendent will advise the complainant, in writing, of the committee's recommendation and advise the Board of the action taken or recommended.
- F. The complainant may appeal this decision, within thirty (30) business days, to the Superintendent through a written request to the Superintendent, who shall forward the request and all written material relating to the matter to the Board.
- G. The Superintendent shall review the case and advise the complainant, in writing, of its decision within ten (10) business days.

No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

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