

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 concerns and to extend 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 or a designated Board committee.

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 or Board of Education standing committees. Board members receiving concerns or complaints from citizens should direct them to the superintendent of schools or the appropriate director. 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:

- Board of Education policy and policy guidelines
- Educational materials
- Personnel
- Procedures
- Programs/Activities

Complaints regarding educational materials shall be handled in accordance with the guidelines provided under Policy #6161 - Selection and Removal of Educational Materials. The superintendent shall establish guidelines for the processing of complaints in the remaining categories listed above.

Adopted: July 24, 2000
Revised: August 9, 2004

GUIDELINES FOR THE PROCESSING OF CITIZEN COMPLAINTS

I. The School District Philosophy on Citizen Complaints

It is recognized by the Board of Education that the school district belongs to the citizens of the district. The Board of Education is elected to manage the affairs of the district and serve as the ultimate school district authority in the operation of the district. The administration under the direction of the superintendent of schools is charged with the responsibility for the management of the daily operation of the district in accordance with the policies, guidelines and direction of the Board of Education. Citizens are encouraged to communicate openly with the administration and the Board, both in areas of commendation and concern. These guidelines have been adopted in an effort to facilitate an orderly and timely processing of citizen complaints.

II. Definitions

1. **Responsible Person:** This term is used to indicate the person responsible for the delivery of the service. Examples would be the teacher, counselor, bus driver, head cook, aide or assistant principal.
2. **Complainant:** The citizen registering the complaint shall be made aware of complaint policy and procedure and be given a copy.
3. **Immediate Supervisor:** Refers to the administrative officer 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 administrative officer, directors, coordinators, managers or to a non-supervisory department chair, if this would provide a more appropriate avenue.
4. **Days:** Days shall mean calendar days. In the event that the investigation or resolution of the complaint is inhibited by school not being in session, the day requirements may be extended as necessary, but in no event, longer than the vacation days involved.
5. **Written Responses:** Written responses shall include:
 - Facts
 - Decision
 - Reason for decision

III. Categories of Complaints

Complaints are divided into five fundamental categories for the purpose of identifying district personnel responsible and clarifying the procedure for consideration of the complaint. The complaint categories are:

1. Board of Education policy and policy guidelines
2. Educational materials
3. Personnel
4. Procedures
5. Programs

IV. The Basic complaint procedure includes the following steps:

Step 1: An oral or written presentation of the complaint to the "responsible person". This may occur by telephone or letter. In more instances where the issue is complex

or where personal contact is more appropriate, it is suggested that a personal conference be arranged. The office of the principal of the school involved can assist in identifying and contacting the responsible person. 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. The responsible person shall respond in writing within 15 days. If the statement of complaint is in writing it shall include:

- Signature of complainant
- Date complaint filed
- Signature of person receiving complaint
- Date received

Step 2: If the complaint is not resolved to the satisfaction of the complainant in Step 1, it shall be advanced within ten working days of notification of the results of Step 1 to the immediate supervisor who will attempt to resolve the matter at that level. If deemed necessary by the immediate supervisor, it may be requested that the complaint be submitted in writing according to the prescribed format in Step 3. If the complainant is not satisfied, he/she will be advised by the immediate supervisor of this complaint procedure. The supervisor shall respond in writing within 15 days. The statement of complaint shall include:

- Signature of complainant
- Date complaint filed
- Signature of person receiving complaint
- Date received

Step 3: If the complaint is not resolved to the satisfaction of the complainant in Step 2, it may advance within ten working days of notification of the results of Step 2 to the superintendent. The complaint shall be presented in writing and the statement of complaint shall include:

- An identification of the complaint
- A brief but specific summary of the events or facts associated with the complaint
- A statement of the relief or resolution requested
- The signature of the complainant

The superintendent may assign a designee to act for the superintendent at this step of the procedure. The superintendent shall meet with the complainant within ten days of the receipt of the complaint in an effort to resolve the complaint. Within ten days of the initial meeting, the superintendent shall extend a decision in writing to the complainant if the complaint has not been resolved. The complainant shall be informed by the superintendent of the right to appeal the decisions and the process that will be followed.

Step 4: If the complaint is not resolved to the satisfaction of the complainant in Step 3, it may be advanced within ten working days of notification of the results of Step 3 to the Board of Education. Advancement may be made to the Board of Education by extending a letter to the clerk of the Board of Education requesting Board of Education review. The letter may be directed to the President of the Board of Education, in care of:

Board Clerk
New Berlin Public Schools
4333 S. Sunny Slope Road
New Berlin, WI 53151

A copy of the request for advancement will be sent by the complainant to the superintendent who will expedite the arrangements for review by the Board of Education. The superintendent will provide the Board with copies of the complaint as well as a report on the matter. Within 30 school 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 school 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.

V. Procedural Exceptions by Category of Complaint:

- Board of Education Policy and Policy Guidelines
Complaints concerning the policy or policy guidelines themselves will be initiated at Step 3 to the superintendent. The initial extension of the complaint may be oral with advancement to the written phase of Step 3 if necessary.
- Educational Materials
Complaints concerning educational materials will be considered according to Policy #6161.
- Transportation
The Board of Education has delegated the responsibility and authority for review and action on complaints regarding the transportation program and/or procedures to the Budget and Facilities Committee of the Board of Education. Step 4 for complaints in this area will be handled by that committee.

VI. Any responsible person or supervisor who neglects to follow this policy and procedure shall be subject to disciplinary action by the Board.

Reference: Board Policy #6161 - Selection and Removal of Educational Materials

Adopted: March 2000
Revised: August 9, 2004

NEW BERLIN PUBLIC SCHOOLS
New Berlin, Wisconsin

Complaint Form

Name: _____ Date: _____

Address: _____
(Street) (City) (Zip)

Telephone No: _____
(Home) (Work)

Status of person filing complaint: Parent Student
 Employee Other

Complaint Type:

_____ Race and National Origin	_____ Board of Education Policy
_____ Civil Rights	_____ Educational Materials
_____ Handicapping Condition	_____ Personnel
_____ Americans with Disabilities Act	_____ Rules and Regulations
_____ School Programs/Activities	_____ Other: please list

Statement of complaint: (Include type of discrimination charged, if applicable, and the specific incident(s) in which it occurred):

Signature of complainant: _____

Date complaint filed: _____

Signature of person receiving complaint: _____

Date Received: _____

Please submit to the Director of Human Resources and Operations or his/her secretary. The person receiving the complaint will sign and date the complaint. Copies will be sent to the complainant; the school or department affected by the complaint; the building principal affected, the superintendent and one copy will be retained by the Director of Human Resources & Operations.

NEW BERLIN PUBLIC SCHOOLS

New Berlin, Wisconsin

School District Reply Form

1. Facts and issues involved:

2. Decision

3. Reason for decision

Signature: _____ **Position:** _____

Date: _____

I have read this reply and feel that my complaint has been resolved to my satisfaction: _____

I have read this reply and feel that my complaint has not been resolved to my satisfaction: _____

c: Complainant
Compliance Coordinator
Unit Coordinator