

Policy

BOARD OF EDUCATION
HORTONVILLE AREA SCHOOL DISTRICT

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PUBLIC REQUESTS, SUGGESTIONS, OR COMPLAINTS

Any individual(s), having a legitimate interest in the staff, programs and operations of the District shall have the right to present a request, suggestion, or complaint to the District and the Board. At the same time, the Board reserves the right to protect District staff and students from harassment, disclosure of confidential information and other violations of the staff or student's rights. It is the intent of this policy to provide a process for considering and addressing public requests, suggestions, or complaints in an efficient, reasonable, and equitable manner. Requests, suggestions, or complaints made by District staff members are covered by Policy #1422, Policy #3122, and Policy #4122 – Nondiscrimination and Equal Employment Opportunity/Complain Procedures. This policy is not to be used to appeal or to otherwise seek review of a personnel decision that was or could have been reviewed through the grievance policy. Policy #3340 or Policy #4340.

It is the desire of the Board to address any such matters through direct, informal discussions. It is only when attempts at informal resolution fail that more formal procedures shall be used.

Generally, request, suggestions, or complaints reaching the Board or Board members shall be referred to the District Administrator for consideration. Only those items that are appropriate for consideration under this policy will be considered. The District Administrator may close out any such request presented to him/her that is not appropriate for consideration consistent with this policy. The Board reserves the right to reverse the District Administrator's decision to dismiss any item raised and to fully investigate or review the matter.

Guidelines for Consideration of Matters Brought Forward Under this Policy

A. First Level:

Generally, if the matter raised involves a staff member, the individual(s) should discuss the matter with the staff member, if appropriate. The staff member shall take appropriate action within their authority and District administrative guidelines to deal with the matter. Matters related to other aspects of the District operations, programming, or other decisions shall be brought generally to the administrator closest to the issue (e.g., if the matter relates to a decision, procedure, or the like in one of the schools, the matter should be raised first with the building principal or a designated person in the school).

A discussion with the staff member may not be appropriate in some situations including, for example, where the matter involves suspected child abuse, substance abuse, or any other serious allegation that may require investigation or inquiry by school officials prior to approaching the staff member.

As appropriate, the staff member shall report the matter and whatever action may have been taken to their immediate supervisor.

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B. Second Level:

If the matter has not been satisfactorily addressed at the First Level or it would be inappropriate to discuss the matter with the staff member, the individual(s) may discuss the matter with the staff member's supervisor, if applicable. Discussions with the supervisor shall occur promptly following any discussion with the staff member. If the matter involves allegations of harassment, discrimination, bullying, or other conduct implicating other policies and investigative procedures, the supervisor shall proceed to follow the applicable procedures which may include informing the District Compliance Officer for further review.

Matters not resolved at the Second Level may be brought to the Third Level.

C. Third Level:

If the matter has not been satisfactorily addressed at the Second Level, and the matter does not involve the District Administrator, the individual(s) may submit a written request for a conference to the District Administrator. This request should include:

1. The specific nature of the request, suggestion or complaint and a brief statement of the facts giving rise to it;
2. The respect in which it is alleged that the individual(s) (or child of a complainant) has been affected adversely, if at all, or an explanation of other adverse results or impact of the matter;
3. The action which the individual(s) wishes taken and the reasons why it is felt that such action be taken.

The request must be submitted promptly after discussion with the staff member's supervisor. The District Administrator shall respond in writing to the individual(s) and shall advise the Board of any resolution of the matter.

D. Fourth Level

If the matter has not been satisfactorily addressed at the Third Level, or at the First Level in the case of a matter involving the District Administrator, the individual(s) may submit a written request to the Board to address the matter. Any such request must be submitted within ten (10) days of receiving the latest attempt to resolve the matter. The written submission shall include all correspondences pertaining to the matter between the individual and any School District officials or employees.

The Board, after reviewing all material relating to the matter, will provide a written response to or may, at its discretion, grant an opportunity to address the Board or committee of the Board prior to making a final decision on the matter.

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The Board's decision, or the decision of the committee of the Board to which the matter was referred, will be final on the matter. The Board may choose to consolidate complaints or other communications for consideration if more than one individual raises similar concerns before it but reserves the right to refuse to consider any subsequent complaint on the same matter unless previously unknown material facts are raised.

If the individual(s) contacts an individual Board member to discuss the matter, the Board member shall refer the individual(s) to this policy or the District Administrator for further assistance.

Guidelines Regarding Instructional Materials

The District Administrator shall inform students and parents each year regarding their right to inspect instructional materials used as part of the educational curriculum and the procedure for completing such an inspection. See Policy #2416 – Student Privacy and Parental Access to Information – Student Records.

If the request, suggestions, or complaint relates to classroom instructional materials the following procedure shall be followed:

- A. The criticism is to be addressed to the building 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 building principal may, after advising the Library Media Specialist and upon the Director of Learning's approval, refer the matter to the District Administrator for resolution or appoint a review committee, which shall comply with the open meetings law, consisting of:
 1. One (1) or more professional staff members including the Library Media Specialist
 2. One (1) or more Board members
 3. One (1) or more lay persons knowledgeable in the area.

- C. If the request, suggestion, or complaint relates to the human growth and development curriculum or instructional materials, it shall be referred to the advisory committee responsible for developing the human growth and development curriculum and advising the Board on the design, review and implementation of the curriculum. (See Policy #2414 – Human Growth and Development).

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- D. The District Administrator shall be an ex officio member of the committee.
- E. The committee, in evaluating the questions 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
- F. The material in question may be temporarily withdrawn from use pending final resolution of the matter.
- G. The committee's recommendation shall be reported to the District Administrator in writing within ten (10) business days following the formation of the committee. The District Administrator will advise the individual(s), in writing, of the committee's recommendation and the District Administrator's decision. The District Administrator shall also advise the Board of the committee's recommendation and their decision.
- H. The individual(s) may submit and appeal of the District Administrator's decision in writing to the Board President within ten (10) business days of receiving the decision. The written appeal and all written material relating to it shall be referred to the Board for consideration.
- I. The Board shall review the matter and advise the individual(s), in writing, of its decision as soon as practicable. The Board shall determine on a case-by-case basis whether its review will include appearances by the petitioner and administration, be conducted based on written submissions, or only on the records produced by District Administrator.

No challenged material may be permanently 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.

Legal References:

118.01, Wis. Stats.

118.019, Wis. Stats.

20 U.S.C. 1232h

NEOLA 2022

Board Approved 6/9/14; 11/26/18; 6/10/19; 6/22/20; 4/12/2021; TC 11/28/22
Adoption Resolution 10/13/14