

**Series 6000 – Community Relations**

**Section 6100 – Citizen Complaints**

**Policy 6101 – Complaint Procedures**

As required by federal laws and regulations, the Harrison County Board of Education does not discriminate on the basis of sex, race, color, religion, handicapping condition, marital status, or national origin in employment or in its educational programs and activities. Inquiries may be referred to Title IX Coordinator, Harrison County Board of Education, P.O. Box 1370, Clarksburg, West Virginia, Phone (304) 624-3312; or Section 504 Coordinator, Harrison County Board of Education, P.O. Box 1370, Clarksburg, West Virginia, Phone (304) 624-3312; or to the Department of Education's Director of the Office for Civil Rights.

6101 **POLICY STATEMENT**

It is the intent of this policy to provide a simple, straightforward, and easily understood process for solving problems at the lowest possible level, as fairly and as expeditiously as possible. Steps 1 through 5 shall be followed in processing Citizen Complaints against an employee of the Harrison County Board of Education or alleging a violation of county board policy. Steps 1 through 6 shall be followed for complaints alleging a violation of state board policies or school law.

6101.1 **DEFINITIONS**

- 6101.1.1 Complaint – A complaint is a claim by one or more citizens of a violation of state law or the policies, rules and regulations of the West Virginia Board of Education. The written complaint will identify the specific state law or state board policy, rule or regulation which is claimed to be violated, and shall include as much information as possible to describe the alleged violation.
- 6101.1.2 Days - Days shall mean the days the business office of the county board of education is open. Such offices are generally closed on Saturdays, Sundays and official holidays. Concerns related to a single school only shall be brought to the attention of the school principal only during the school term.
- 6101.1.3 School Law - School law shall mean the constitutional principles, statutory provisions, judicial law and administrative law governing the public school system in the State of West Virginia.

6101.2            **PROCEDURE**

- 6101.2.1        Distribution of Appeals Procedure - Copies of this appeals procedure will be readily accessible to citizens at the office of the county board of education and at each public school.
- 6101.2.2        Appeal Forms - The superintendent of schools shall prepare and distribute appropriate forms for each appeal level. Such forms shall be available at the office of each county board of education and at each public school.
- 6101.2.3        Filing of Appeals - The citizen making the written appeal shall provide as much information as possible at the time the appeal is filed; however, additional supportive information may be presented at any level. Once an appeal has been filed, the claim itself may not be altered greatly in content or wording. If such changes are necessary, a new appeal should be filed.
- 6101.2.4        Time Limits - Since it is important that an appeal be processed as rapidly as possible, the number of days indicated at each level shall be considered the maximum. A time limit may, however, be extended by mutual agreement.
- 6101.2.5        Meetings, Private/Public - All meetings and hearings shall be conducted in private except that hearings before the county board of education may be open at the request of either party. If, during an open hearing, the hearing officer(s) at the county or state level feels that either party is discussing matters of a personal nature or confidential student information, the hearing may then be closed for the period of time that such confidential or personal matters are being discussed.
- 6101.2.6        Representation - The person or persons filing the appeal may have the assistance of a representative at conferences and meetings. The Administration and/or the board may be represented by counsel or other designated person in any proceeding.
- 6101.2.7        Written Decisions - Except at the informal level, all decisions rendered shall be in writing, setting forth the decision and the reasons therefore. The decision shall be transmitted promptly to all parties.

6101.3            **PROCESSING OF APPEALS**

- 6101.3.1        Step 1: Any person wishing to file a complaint against a Harrison County Board of Education employee or asserting a violation of county board policy shall schedule an informal conference within 10 calendar days after the event to discuss the situation with the employee. The principal may be invited to attend the meeting by either the parent or teacher.

- 6101.3.2 Step 2: If the complaint is not resolved at Step 1, the citizen may present a written complaint to the employee's principal/immediate supervisor within 5 days of the Step 1 meeting. Upon receiving the complaint, the principal/direct supervisor must hold a joint conference with the citizen and the employee within 5 days.
- 6101.3.3 Step 3: If the complaint is not resolved at Step 2, the citizen shall file the written Step 3 form to the employee's county level supervisor. Within 5 days of receipt of the Step 3 appeal, the county level supervisor may at his/her discretion hold a conference with any or all involved parties. The supervisor will issue a decision within 5 days of the conference or within ten days of receipt of the Step 3 appeal.
- 6101.3.4 Step 4: If the complaint is not resolved at Step 3, the citizen may request a review of the case by the superintendent of schools. At his/her discretion the superintendent may conduct a conference with any or all involved parties. The superintendent shall issue a decision within 20 days after receipt of the appeal from Step 3.
- 6101.3.5 Step 5: If the complaint is not resolved at Step 4, the citizen, may, within 10 days of the receipt of the superintendent's decision, appeal to the Harrison County Board of Education. The Board of Education may review information from previous levels and/or hold a conference with any or all involved parties before rendering a decision. A decision shall be issued within (30) days of receipt of the appeal from Step 4.
- 6101.3.6 Step 6: If the complaint concerns an alleged violation of school law or state board policy and does not concern an issue related to a complaint against a Harrison County Board of Education employee, the citizen may, within 20 days of the receipt of the Step 5 decision, appeal to the West Virginia Board of Education in accordance with State Board policy 7211.

Approved by Harrison County Board of Education

Effective Date: December 3, 2002

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