

## SCHOOL AND COMMUNITY RELATIONS

### 1002.00 CITIZEN COMPLAINT

#### **Scope**

The procedure provided by this regulation shall apply to complaints about school employees and any other citizen's complaint which is not governed by West Virginia State Board of Education Policy 7211. Any citizen who alleges a violation of WV State Law or WVBOE Policies shall follow the appeal procedures specified in WVBOE Policy 7211(126 CSR 188).

#### **Effective Date**

This policy shall be in effect beginning with the 2011/2012 school term and thereafter.

#### **Conference**

Any citizen who desires to prosecute a complaint about a school employee or a complaint which is not governed by West Virginia Board of Education Policy 7211 shall schedule a conference with either the employee's immediate supervisor or an employee who is responsible for the administration of the subject area relating to the complaint. If a person is in doubt as to with whom a conference should be scheduled, the Superintendent's office should be contacted for guidance.

#### **Appeal**

Any person who is not satisfied with the response to a complaint following a conference may appeal the matter to the Superintendent. Such an appeal may be made by completing a form which shall include at least the following information:

- a. Name[s] of the person[s] making the complaint;
- b. Description of complaint;
- c. Name[s] of employee[s] who has[have] been contacted in effort to resolve the complaint; and,
- d. Statement of complaint resolution - What the person[s] making the complaint would like to have happen.

Such forms shall be available in the office of the Superintendent. Upon receipt of an appeal the Superintendent shall be final and not subject to further appeal. However, nothing contained herein shall be constructed to

limit the right of persons to appear before the Mingo County Board of Education.

**Employee Due Process**

Nothing within this regulation shall be construed to limit any relevant due process rights of school employees relative to decisions which may adversely affect terms and conditions of employment. Any disciplinary action taken against an employee as a result of the complaint shall be pursuant to the provision in §18A-2-7 and §18A-2-8 of the West Virginia Code and the employee shall be provided all procedural due process rights contained therein.

Legal Reference: WVBOE Policy 7211(126 CSR 188)  
§18A-2-7  
§18A-2-8

Adopted: July 2011