

CHAPTER 6.00 – PERSONNEL

Complaints Against Employees

6.51

1. **Scope.** This rule provides the complaint resolution procedure for resolving complaints and disagreements that parents and members of the public may have with School Board employees. Rule 2.16 governs complaints of unlawful discrimination against an employee; Rule 2.161 prescribes the procedure for filing a complaint of sexual harassment against an employee; Rule 3.21 is the procedure for filing a complaint of bullying or harassment, and the District's negotiated agreements prescribe the process for resolving grievances. This rule applies to complaints against employees that do not fall under Rules 2.16, 2.161 and 3.21, or the negotiated agreement.
2. **Definitions.** For purpose of this rule, the following definitions apply:
 - a. “Complaint” means any complaint a member of the public may make against or dispute with a School Board employee that is within the scope of this rule as defined in paragraph 1.
 - b. “Complainant” means the person or persons filing the complaint.
 - c. “Supervisor” means the principal of the school where the employee is assigned or the employee’s immediate supervisor if the employee is not assigned to a school.
3. **Procedure.** The following steps should be followed in the complaint resolution process:
 - a. **Informal Discussion-** The complainant is encouraged to address a complaint directly with the employee involved in an informal discussion as soon as possible in order to resolve the complaint at the first opportunity. If this informal discussion does not result in a mutually satisfactory resolution, or if either party is uncomfortable with an informal discussion, either party may refer the matter to the employee’s supervisor for a Level One review.
 - b. **Level One-** The supervisor shall in a timely manner investigate the complaint, obtaining input from both the complainant and the employee. After investigation, the supervisor shall resolve the complaint. Any party to the complaint can request that the resolution be written. If either party to the complaint is dissatisfied with the resolution and wishes to further pursue the matter, that party shall request the resolution be written and request a Level Two review.

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- c. Level Two - The Superintendent shall review the written resolution from the supervisor, undertake such additional investigation as the Superintendent deems necessary, and shall in writing either uphold or modify the supervisor's resolution. A copy shall be provided to the complainant and the School Board. This action will be the final resolution of the complaint. The complaint shall not be subject to further review.
- 4. **Discipline.** Employee misconduct that comes to the attention of the District Superintendent or supervisor in connection with a complaint under this rule may be the basis of discipline under applicable District policies and procedures governing employee discipline.
- 5. **Professional Conduct Reporting.** This rule does not supplant the requirements for reporting of conduct that may warrant discipline by the Education Practices Commission as outlined in Florida Statute 1012.795. If reportable misconduct of an employee comes to the attention of the Superintendent, supervisor or other District employee as a result of a complaint filed under this rule, they shall proceed under Rule 6.53, Professional Misconduct.

STATUTORY AUTHORITY: **1001.41, 1012.22, F.S.**

LAWS IMPLEMENTED: **1001.42; 1012.22, 1012.796, F.S.**

HISTORY: **Adopted: 08/18/98**
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