



POLICY 3.24

5-F I recommend that the Board approve development of the proposed revised Policy 4.112, entitled "Investigations of Complaints Against School Board Personnel by School Board Members," which will be renumbered as Policy 3.24.

[Contact: Gerald A. Williams, Esq., and Bruce A. Harris, Esq., PX 48500.]

Development

CONSENT ITEM

- This Policy, currently in Chapter Four, is being transferred to Chapter Three, as most Policies in Chapter Four will be repealed.
- The substance of the Policy remains the same.

POLICY 4.112 3.24

**INVESTIGATIONS OF COMPLAINTS AGAINST SCHOOL BOARD
PERSONNEL BY SCHOOL BOARD MEMBERS**

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1. This Policy Section shall not apply to personnel investigations ~~conducted~~ initiated by the Superintendent pursuant to Fla. Stat. § 1012.33 or 1012.34 ~~Section 231.291, Florida Statutes,~~ and School Board Policy 3.25.
2. In the event, a School Board members desires to file a formal complaint concerning any employee, the complaint shall be in writing and forwarded to the attention of the Superintendent for review. The complaint will remain confidential pending investigation/resolution of the complaint.
3. The Superintendent/~~or his~~ designee shall investigate the complaint. A statement shall be obtained from the complaining School Board member which shall be made a part of the investigative file.
4. The School Board member who files a complaint against an employee shall be prohibited from directing the investigation.
5. The Superintendent shall review all information received concerning the complaint and determine whether probable cause exists to recommend disciplinary action against the employee pursuant to School Board Policy 3.27.
6. If the Superintendent determines that there is no probable cause to seek disciplinary action against the employee, the Superintendent shall provide written notice of this determination to the employee, with a copy to the complaining School Board member.
7. If the Superintendent recommends disciplinary action against the employee, the School Board member who filed the complaint should determine whether he or she ~~desires to~~ should abstain from voting on the recommendation due to a conflict of interest.
8. If the School Board member who files a complaint is dissatisfied with the disposition of the complaint taken by the Superintendent, the School Board member shall inform the remaining School Board members at the next regularly scheduled School Board meeting. The remaining School Board members, after being fully advised of the matter by the Superintendent and legal counsel, by majority vote, shall determine if they desire to request any additional action ~~should to~~ be taken.
9. In the event the initial complaint by a School Board member is against the Superintendent, Chief Counsel, or District Auditor, the provisions of the

36 Superintendent's respective contracts governing the Superintendent's that
37 person's employment shall be followed.

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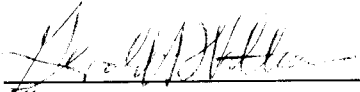
39 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1001.43(11); 1012.23(1)
40 120.53(1), 230.22, F.S.

41 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.43(11); 1012.33, 1012.34; 120.57(4),
42 120.62, 231.291, F.S.

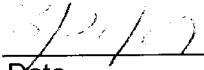
43 HISTORY: New: 8/4/82; Revised: 07/11/90 (as 4.112); / /2007 (as 3.24)

Legal Signoff:

The Legal Department has reviewed proposed Policy 3.24 and finds it legally sufficient for development by the Board.



Attorney



Date