

Cape Coral Charter School Authority

Bylaws & Policies

3550 - COMPLAINTS AGAINST INSTRUCTIONAL STAFF

Any complaint against a member of the instructional staff which arises within the membership of the Governing Board or which comes to the attention of the Board (except through the Superintendent) shall be referred to the Superintendent for decision. In cases where the instructional staff member or the complainant is not satisfied with the decision of the Superintendent, an appeal may be taken by either party to the Board through the Superintendent for a final decision.

Pursuant to State law, a complaint of misconduct against an Authority administrator, and all information obtained pursuant to an investigation by the Authority of the complaint of misconduct, are confidential and exempt from inspection or copying until the investigation ceases to be active, or until the Authority provides written notice to the employee who is the subject of the complaint, in the manner set forth below, that the Authority has either:

- A. concluded the investigation with a finding not to proceed with disciplinary action or file charges; or
- B. concluded the investigation with a finding to proceed with disciplinary action and/or to file charges. If the investigation results in such a finding, the Authority shall also file a legally sufficient complaint regarding the misconduct as required by State law and Policy [8141](#) - Mandatory Reporting of Misconduct by Certificated Employees.

Any material that is derogatory to an employee shall not be open to inspection for an additional ten (10) days after the employee has been notified either:

- A. by certified mail, return receipt requested, to his/her address of record; or
- B. by personal delivery. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.

Employees in bargaining units should refer to negotiated agreements.

F.S. 119.071(2)(k), 1012.31, 1012.795, 1012.796

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