

**STATE BOARD OF EDUCATION**

**STATE OF GEORGIA**

**SUNNY SETTLE,**

**Appellant, :**

**vs. :**

**CASE NO. 2001-14**

**WILKES COUNTY :**

**BOARD OF EDUCATION, :**

**Appellee. :**

**DECISION**

This is an appeal by Sunny Settle (Appellant) from a decision by the Wilkes County Board of Education (Local Board) to sustain the decision of the Local Superintendent to issue her a letter of reprimand because she failed to properly follow the designated procedures for filing complaints. Appellant claims that the reprimand was improperly issued and the procedure for filing complaints is flawed. The Local Board's decision is sustained.

Appellant filed a written complaint with her principal that another teacher had harassed her some months previously and she demanded that the principal take immediate action. Appellant, however, knew that the principal was out of town attending a conference and could not take the action she demanded. Later in the afternoon, Appellant filed another complaint with the Local Superintendent. In the complaint filed with the Local Superintendent, Appellant reiterated the complaint she filed with the principal and then added a complaint against the principal because he failed to act on the complaint she had filed with him earlier in the day. The Local Superintendent discussed the complaint with the principal and had the principal investigate the main complaint, i.e., that another teacher had been harassing Appellant. After investigating the complaints, the Local Superintendent issued a letter of reprimand to Appellant because she failed to follow the proper procedure in filing her complaint and because she made false allegations against the principal. Appellant complained to the Local Board that the principal should not have been the one to conduct an investigation of her complaint because he was a subject of her complaint. The Local Board upheld the Local Superintendent's decision and Appellant appealed to the State Board of Education.

The Local Board's complaint policy requires an employee to file a complaint with the employee's immediate supervisor. If the employee is dissatisfied with the decision of the immediate supervisor, then the employee can appeal to the next higher person in the chain of command.

Appellant failed to wait for the principal to reach a decision on her complaint. Instead, she imposed an impossible deadline on the principal to act and then filed a complaint with the Local Superintendent and complained that the principal had failed to act on her initial complaint. Appellant's action was in clear violation of the Local Board's policy. It is immaterial whether the principal was involved in the investigation of Appellant's complaint. Except for Appellant's failure to properly follow procedure, the principal would not have been the subject of any complaint and he was not the subject of the original complaint that he would have investigated in due course if Appellant had not precipitously filed the second complaint with the Local Superintendent.

Based upon the foregoing, it is the opinion of the State Board of Education that Local Board properly upheld the Local Superintendent's issuance of a letter of reprimand to Appellant. The Local Board's decision, therefore, is hereby SUSTAINED.

This \_\_\_\_\_ day of January 2001.

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Bruce Jackson  
Vice Chairman for Appeals