



Special Magistrate for Unresolved Student Welfare Complaints

On October 19, 2022, the State Board of Education adopted Rule 6A-6.0791, Florida Administrative Code (F.A.C.), Special Magistrate for Unresolved Student Welfare Complaints at Charter Schools. This rule is applicable to all charter schools. The purpose of Rule 6A-6.0791, F.A.C., is to support parental rights by providing charter school parents with a more expedient route to resolve certain disputes, in lieu of filing a lawsuit in court.

Step 1:

Under F.A.C. 6A-6.0791, charter schools have their own adopted procedures under Special Magistrate for Unresolved Student Welfare Complaints. “Before requesting a Special Magistrate, Rule 6A-1.094125, F.A.C., and Rule 6A-6.0791, F.A.C., requires that parents attempt to resolve the matter with the school principal. You should always feel free to share your concerns directly with the principal of your child’s school.” The complainant may find the grievance form and school’s process below. This information is also located on the school’s website.

Step 2:

If that complaint cannot be resolved by the charter school, then the charter must fully cooperate in its local school district’s resolution procedures and comply with the district’s decision for resolution of the complaint. “Before requesting a Special Magistrate, Rule 6A-1.094125, F.A.C., also requires that parents attempt to resolve the matter with their school district. You should always feel free to share your concerns directly with your child’s school district. School district contact information is available at <https://www.fldoe.org/accountability/data-sys/school-dis-data/superintendents.stml>.”

Step 3:

If a parental complaint involving certain types of disputes is not resolved at the local level by a charter school administrator within seven business days, or subsequently, a school district decision within 30 business days, a parent/guardian may submit a form to the Florida Department of Education requesting the appointment of a Special Magistrate. If the request is granted, a Special Magistrate would hold a hearing and provide a recommended decision to the State Board of Education on the dispute between a parent and the school

district. The State Board of Education would either approve or reject the recommended decision within 30 business days.

Additional information can be found at: <https://www.fldoe.org/schools/k-12-public-schools/special-magis.html>

“Parents seeking the appointment of a Special Magistrate must use the form “Request for Appointment of a Special Magistrate.” Parents can contact the Florida Department of Education staff to assist with questions and answers throughout the process. Inquiries may be emailed to SpecialMagistrate@fldoe.org or parents may contact the Office of Professional Practices Services”.

Documents can be mailed to:
Florida Department of Education
325 West Gaines Street, Suite 224
Tallahassee, FL 32399
Phone: 850-245-0438
Fax: 850-245-0621

Grievance Reporting Form (click here)

This form is to be filled out to report complaints related to student welfare and parent rights under Florida law. Please complete the form and send to your school’s administrator who will be in contact with you to discuss your concerns. Procedures followed for specific matters covered by HB 1557, Special Magistrate Option

1. The grievance form is filled out and submitted to the school administrator. If the complaint is made orally, the information will be documented, and the complainant will be requested to fill out the form.
2. Once the grievance form has been received, it will be sent immediately to the appropriate administrator, who will contact the complainant in a reasonable amount of time.
3. If the issue is not satisfactorily resolved, an appointment will be made between the parents & principal. Attempts will be made to resolve the issue within 7 business days.
4. Internal process:
 - a. Complaint received.
 - b. Time/date stamped.
 - c. Immediate notification to administrator.
 - d. Administrator will contact the complainant and investigate the complaint.
 - e. If the administrator cannot satisfactorily resolve the issue, the principal will meet with the complainant to discuss the complaint.
 - f. Documentation of above will be recorded.
- g. If the issue is not resolved, complaints will be turned over to the district and will follow their procedure.

h. If a complainant is still dissatisfied, they may file a request to have a special magistrate assigned to their complaint.

For additional information visit the Florida Department of Education website:

<https://www.fldoe.org/schools/k-12-public-schools/special-magis.stml>