

# MIDDLETOWN AREA SCHOOL DISTRICT

SECTION: ADMINISTRATIVE  
EMPLOYEES

TITLE: COMPLAINT POLICY

ADOPTED: October 14, 1991

REVISED:

326. COMPLAINT POLICY	
1. Purpose	Effective management of district affairs requires reasonable and effective means of resolving difficulties which may arise among management level employees. To reduce potential areas of disagreement and to establish and maintain recognized two-way channels of communication between the Board and management, this policy is established.
2. Authority	<p>The Board intends in this complaint policy to expedite the process for all parties concerned. The policy, therefore, has as its goal(s) the following:</p> <ol style="list-style-type: none"> <li>1. The policy is intended to be used after an attempt has been made to resolve a difficulty on a face-to-face basis between the parties concerned.</li> <li>2. The policy is to secure proper and equitable solutions to complaints at the lowest appropriate level, and to facilitate an orderly succession of procedures.</li> <li>3. There shall be no reprisals of any kind taken against any employee because of participation in a complaint or support thereof.</li> </ol>
3. Definition	<p>For purposes of this policy, the terms used herein shall have the following listed definitions:</p> <ol style="list-style-type: none"> <li>1. A <b>complaint</b> is any unresolved problem concerning application or interpretation of state laws or regulations; the policies, rules or regulations of the Board; or administrative procedures.</li> <li>2. A <b>day</b> is any day for which an administrator is contracted to work.</li> </ol>
4. Guidelines	<p>Complaints should be discussed in private, informal conference between the parties involved.</p> <p>At lease one (1) such private meeting should take place between the parties before the complaint is taken to the next higher level of authority.</p>

A complainant may be represented or accompanied at the higher levels of authority by anyone of his/her choosing.

If the same complaint or substantially the same complaint is made by more than one administrator against one respondent, only one administrator – on behalf of self and the other complainants – should pursue the complaint through the prescribed procedure. Names of all complainants should appear on all the documents related to the settlement of the complaint.

The time limit provided for in this policy may be extended by mutual agreement of the parties. Any decision not pursued within the limits from one level to the next level shall be considered settled on the basis of the last decision and not subject to further appeal.

Level One - Immediate Supervisor

Within ten (10) days after the occurrence of the act or omission giving rise to the complaint and following an informal discussion as outlined above, the complainant must present his/her complaint in writing to the immediate supervisor.

This statement shall be a clear, concise statement of the grievance; the rule, policy or law for which there is an alleged violation; the circumstances on which the complaint is based; the person(s) involved; the decision rendered at the private conference; and the remedy sought. Copies of this statement may be sent to any individuals who may have been present.

Within ten (10) days the immediate supervisor shall communicate his/her decision to the complainant in writing. If the supervisor does not respond within the time limit, the complainant may appeal to the next higher level of authority.

Either party to the complaint shall have the right to request a personal conference in order to resolve the complaint. Either party may request the presence of one conferee.

Level Two - Next Higher Level of Authority

In the event the employee is not satisfied with the decision in Level One, s/he may appeal the decision in writing to Superintendent within ten (10) days after receiving it.

This written statement shall include a copy of the original complaint; the decision rendered by the immediate supervisor; and a clear, concise statement of the reasons for the appeal on the decision.

The responding administrator shall communicate his/her decision to the grievant within ten (10) days.

Either party in the appeal may request a personal conference within the above time limits. If the decision has not been rendered within the time limits, the complainant may appeal to the next level.

Level Three - Discussion with the Board

Within ten (10) days after receiving the decision of the Superintendent, the complainant may appeal the decision in writing to the Board.

The Board shall schedule the matter for a hearing at an executive session to be held at the next regularly scheduled Board meeting. The complainant and/or his/her conferee shall be present at the hearing.

Within ten (10) days the Board will submit its decision in writing together with supporting reasons to the complainant. A copy shall be furnished to the administrator(s) involved. The decision of the Board is final.

Miscellaneous Provisions

All documents, communications and records dealing with the processing of a complaint shall be filed in a separate file and shall not be kept in the personnel file of any of the participants.

In the event a complaint is filed late in the school year, both parties shall endeavor to expedite procedures to the maximum extent possible so that the procedure may be exhausted as soon after the school term as practicable.