

MIDDLETOWN  
 AREA  
 SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: COMPLAINT POLICY

ADOPTED: October 14, 1991

REVISED:

426. COMPLAINT POLICY	
1. Purpose	It is the policy of the Board to establish reasonable and effective means of resolving difficulties which may arise among employees, to reduce potential areas of complaints, and to establish and maintain recognized two-way channels of communication between supervisory personnel and professional employees not otherwise covered by the terms of a collective bargaining agreement.
2. Authority	<p>The Board intends in this complaint policy to expedite the process for all concerned parties. The policy, therefore, has as its goals 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 an informal basis between the parties concerned.</li> <li>2. The policy is to secure proper and equitable solutions to complaints at the lowest possible level, and to facilitate an orderly procedure within which solutions may be pursued.</li> </ol> <p>There shall be no reprisals of any kind against any employees or their representatives because of participation in a complaint or support thereof.</p>
3. Definition	<p>For purposes of this policy the terms used herein shall have the following definitions:</p> <ol style="list-style-type: none"> <li>1. A <b>complaint</b> is any unresolved problem or interpretation of state laws or regulations; the policies, rules or regulations of the Board; or written administrative procedures.</li> <li>2. A <b>day</b> is any day for which an employee is contracted to work.</li> </ol>
4. Guidelines	Complaints should be discussed in private, informal conferences between the parties involved.

At least one (1) such private meeting should take place between the parties before the complaint procedure is invoked.

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

If the same complaint or substantially the same complaint is made by more than one employee against one respondent, only one employee on behalf of him/herself and the other complainants may process the complaint through the adjustment procedure. Names of all complaining parties shall appear on all documents related to the settlement of the complaint.

The time limits provided for in this policy may be extended by mutual agreement of the parties. Any decision not appealed within the limits from one level to the next level in the complaint policy 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, the complainant must present his/her complaint in writing to the immediate supervisor or administrator.

This statement shall be a clear, concise expression of the complaint; the policy or regulation 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 supervisor and/or administrator shall communicate his/her decision to the employee in writing. If the supervisor and/or administrator does not respond within the time limit, the complainant may appeal to the next level.

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

Level Two – Next Higher Level of Authority

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

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

The responding administrator shall communicate the decision to the complainant 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 – 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 administrators involved and to the Superintendent.

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.

This complaint policy does not supersede the language agreed to in the grievance procedure of the collective bargaining agreement.