

# BRANDYWINE HEIGHTS AREA SCHOOL DISTRICT

SECTION: ADMINISTRATIVE  
EMPLOYEES

TITLE: COMPLAINT PROCESS

ADOPTED: June 28, 2004

REVISED:

326. COMPLAINT PROCESS	
1. Purpose	Effective management of district operations requires reasonable and effective means of resolving conflicts among management level employees. This policy is established to reduce potential areas of disagreement, and to establish and maintain recognized two-way channels of communication between the Board and management.
2. Authority	<p>The Board adopts this policy to facilitate proper and equitable solutions to complaints at the lowest appropriate level, and to establish an orderly procedure for pursuing solutions.</p> <p>There shall be no reprisals of any kind taken against any employee because of participation in or support of a complaint.</p>
3. Definition	<b>Complaint</b> - any unresolved problem concerning application or interpretation of federal or state laws and regulations; policies and rules of the Board; and written administrative procedures.
4. Guidelines	<p>Complaints should be discussed in a private, informal conference between the parties involved. At least one (1) private meeting should take place between the parties before the complaint is taken to the next higher level of authority.</p> <p>A complainant may be represented or accompanied at the higher levels of authority by anyone s/he chooses.</p> <p>If the same 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 shall appear on all documents related to settlement of the complaint.</p>

The time limit provided in this policy may be extended by mutual agreement of the parties. Any decision not pursued within the time 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 giving rise to the complaint and following an informal discussion as outlined, the complainant must present the written complaint to the immediate supervisor.

This statement shall include:

1. A clear, concise expression of the complaint.
2. The rule, policy or law of which there is an alleged violation.
3. Circumstances on which the complaint is based.
4. Person(s) involved.
5. Decision rendered at the private conference.
6. Remedy sought.

Copies of this statement may be sent to any individuals who were present at the meeting.

Within ten (10) days the immediate supervisor shall communicate a written decision to the complainant. If the supervisor 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 complaint. Either party may request the presence of one (1) conferee.

Level Two - Superintendent/Designee

Within ten (10) days after receiving the decision of the administrator in Level One, the complainant may appeal the decision to the Superintendent or designee. The written appeal shall be accompanied by a copy of the decision at Level One.

Within ten (10) days after delivery of the appeal, the Superintendent or designee shall investigate the complaint, giving all persons who participated in Level One a reasonable opportunity to be heard.

Within ten (10) days after delivery of the appeal, the Superintendent or designee shall submit a written decision, together with the supporting reasons, to the complainant and the administrator involved.

Level Three - Discussion with the Board

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

The Board shall schedule the matter for a hearing to be held at the next regularly scheduled Board meeting.

The complainant and his/her conferee may be present at the hearing.

Within twenty (20) days the Board will submit its written decision, 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 relevant to a complaint shall be filed in a separate file and 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 so that the process may be completed as soon after the school term as practicable.