

BRANDYWINE HEIGHTS AREA SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: COMPLAINT PROCESS

ADOPTED: June 28, 2004

REVISED:

426. COMPLAINT PROCESS	
1. Purpose	It is the Board's intent to establish reasonable and effective means of resolving conflicts 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 for situations not covered by the terms of a collective bargaining agreement.
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 employees or their representatives because of support of or participation in a complaint.</p>
3. Definition	Complaint - any unresolved problem 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 procedure is invoked.</p> <p>A complainant may be represented or accompanied at any higher level of authority by anyone s/he chooses.</p> <p>If the same, or substantially the same, complaint is made by more than one employee against one respondent, only one employee, on behalf of self and the other complainants, may process the complaint through the prescribed procedure. Names of all complainants shall appear on all documents related to settlement of the complaint.</p> <p>The time limits provided in this policy may be extended by mutual agreement of the parties. Any decision not appealed 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.</p>

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 supervising administrator.

This statement shall include:

1. A clear, concise expression of the complaint.
2. The rule, policy or law for 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 administrator shall communicate a written decision to the employee. If the 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 (1) conferee.

Level Two - Superintendent/Designee

Within ten (10) days after receiving the decision of the administrator at 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 administrators involved.

Level Three - 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 administrators 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.