

HAMPTON TOWNSHIP SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: COMPLAINT PROCESS

ADOPTED: April 28, 2004

REVISED:

426. COMPLAINT PROCESS	
1. Purpose	<p>The Board recognizes that effective management of district operations requires reasonable and effective means of resolving conflicts which may arise among employees. This policy is established to reduce potential areas of disagreement, and to establish and maintain two-way channels of communication between administrators and professional employees for situations not covered by the terms of a collective bargaining agreement.</p>
2. Authority	<p>The Board adopts this policy to expedite the process for all concerned parties, facilitate proper and equitable solutions to complaints at the lowest appropriate level, and establish an orderly procedure for pursuing solutions.</p> <p>This policy is intended to be used after an attempt has been made to resolve a difficulty on an informal basis between the parties concerned.</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, and under no circumstances will the complaint constitute a reflection on the employment records of the complainant.</p>
3. Definitions	<p>Complaint - any unresolved problem or interpretation of federal or state laws and regulations; policies and rules of the Board; and written administrative procedures.</p> <p>A day – any day for which an employee is contracted to work.</p>
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>

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.

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.

Level One - Immediate Supervisor

Within seven (7) 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 or 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 five (5) days the supervisor or administrator shall communicate a written decision to the employee. If the supervisor 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 (1) conferee.

Level Two – Assistant Superintendent

If the complainant is not satisfied with the decision at Level One, an appeal to the decision may be made in writing to the Assistant Superintendent, within five (5) days after receiving it.

The written appeal shall include a copy of the original complaint, the decision rendered at Level One, the name of the appellant's conferee, if any, and a clear, concise statement of the reasons for the appeal on the decision.

The Assistant Superintendent shall communicate the decision to the complainant within seven (7) 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 - Superintendent

Within seven (7) days after receiving the decision of the administrator at Level Two, the complainant may appeal the decision to the Superintendent. The written appeal shall be accompanied by a copy of the decisions at Level One and Level Two.

Within five (5) days after delivery of the appeal, the Superintendent shall investigate the complaint, giving all persons who participated in Level One and Level Two a reasonable opportunity to be heard.

Within seven (7) days after delivery of the appeal, the Superintendent shall submit a written decision, together with the supporting reasons, to the complainant and the administrators involved.

Level Four - The Board

Within seven (7) 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 to be held at an executive session.

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

Within ten (10) 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.