

SECTION: CLASSIFIED EMPLOYEES

TITLE: COMPLAINT PROCESS

ADOPTED: April 26, 2005

REVISED:

LINE MOUNTAIN SCHOOL DISTRICT

	<p>526. COMPLAINT PROCESS</p>
1. Purpose	<p>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 classified employees for situations not covered by the terms of a collective bargaining agreement.</p>
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. Definitions	<p>For purposes of this policy, the terms used herein shall have the following definitions:</p> <p>Complaint – A complaint is any unresolved problem or interpretation of the policies, rules or regulations of the Board, state laws or regulations and/or administrative procedures.</p> <p>Day – A day is 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 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 individual against one respondent, only one individual, on behalf of him/herself and the other complainants, shall pursue the complaint through the prescribed procedure.</p>

The time limits provided in this policy may be extended by mutual agreement of the parties. Any decision not pursued within the applicable time limit 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 five (5) 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 five (5) days following the presentation of the written complaint, the immediate supervisor shall communicate a written decision to the complainant.

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 – Intermediate Supervisor Where Applicable

Within five (5) days after receiving the decision of the immediate supervisor at Level One, the complainant may appeal the decision to the intermediate supervisor. The written appeal shall be accompanied by the original complaint, the decision at Level One, the name of the complainant's conferee, if any, and a clear, concise statement of the reasons for the appeal of the decision.

The intermediate supervisor shall investigate the complaint, giving all persons who participated at Level One a reasonable opportunity to be heard, and, within five (5) days following presentation of the appeal, submit a written decision, together with supporting reasons, to the complainant and the supervisor involved.

Level Three - Superintendent/Designee

Within five (5) days after receiving the decision of the intermediate supervisor, the complainant may appeal the decision to the Superintendent or designee. The written appeal shall be accompanied by a copy of the original complaint, the decisions at Levels One and Two, the name of the complainant's conferee, if any, and a clear concise statement of the reasons for the appeal of the decision.

The Superintendent or designee shall investigate the complaint, giving all persons who participated at the previous level a reasonable opportunity to be heard, and, within five (5) days following presentation of the appeal, submit a written decision, together with supporting reasons, to the complainant and the supervisors involved.

Level Four - School Board

Within five (5) days after receiving the decision of the Superintendent or designee, the complainant may appeal the decision in writing to the Board. The written appeal shall be accompanied by copies of the original complaint and the decisions at all lower levels.

The Board shall schedule the matter to be heard at an executive session to be held on the date of the next regular meeting of the Board which may be attended by the complainant, the complainant's conferee and the administrators involved.

Within five (5) days following the executive session, the Board shall submit its written decision, together with supporting reasons, to the complainant. A copy shall be furnished to the administrators involved and the Superintendent.

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.