

COMPLAINT PROCEDURE

1. Purpose

The purpose of the Complaint Procedure is to resolve differences between employees and supervisors at the **lowest administrative level** as quickly and amicably as possible. The complaint procedure is a means to ensure that staff have a due process procedure to protect their rights.

2. Definition

“Complaint” - a statement by an employee that a controversy, dispute or disagreement exists between the employee and the supervisor.

“Supervisor” - an employee authorized to direct the work of subordinate employees.

3. Representative and Witnesses

At Step Two and Three of the Complaint Procedure the complainant or supervisor may have representation. This representation may be a friend, confidante, or legal counsel.

4. Time Limits

All time limits shall be strictly adhered to except by mutual written consent of the parties. Failure of the complainant to adhere to time lines nullifies the complaint. Failure of a supervisor to adhere to time lines automatically entitles the complainant to appeal to the next higher supervisory level.

5. Reprisals

No reprisals shall be taken against an employee for participating in the complaint procedure.

6. Rights Guaranteed

By using the complaint procedure, an employee does not give up his/her right to seek relief through other administrative or legal channels where such channels have been established. However, if an employee has filed a complaint with other local, state, or federal agencies for relief, the employee forfeits his/her right to use the District's complaint procedure.

7. Procedure

a. Step One

A complaint must be initiated by an employee within seven (7) days of the date that the complainant knew of or should have known, of the action being complained. At this Step, a good faith effort is required on the part of the Complainant and the immediate supervisor to resolve the complaint through free and informal communications.

b. Step Two

If the complainant is not satisfied at Step One, he/she may appeal in writing to the immediate supervisor (or to the supervisor level where the cause for the complaint was initiated) within seven (7) days. The supervisor shall hold a hearing with the complainant within seven (7) days of receipt of the written complaint. A written decision will be rendered to the complainant within seven (7) days of the date of the hearing.

c. Step Three

If the complainant is not satisfied with the written decision rendered at Step Two, the complainant may appeal the decision in writing to the superintendent or designee within seven (7) days of receipt of the Step Two written decision. The Superintendent or designee will set a hearing date within seven (7) days of the receipt of the written complaint. Because of travel considerations and costs, the hearing will be conducted by the Superintendent or designee as soon as possible, but no later than sixty (60) days after the written complaint has been received. Within seven (7) days of the hearing the Superintendent or designee will render a written decision. The decision of the Superintendent or designee at Step Three will be final.

How to File a Complaint

The key to a good relationship in your school is to try to resolve problems early. The School Board has developed a Complaint Policy to assist you in finding solutions to problems associated with the school or the district. It was also developed so that each problem is addressed in a timely manner and each person involved is treated equally and fairly.

If you have a problem with something in your school, don't be afraid to sit down and discuss it with the person in charge. Most problems are from misunderstandings or miscommunications. However, if you have a disagreement with someone or something at school, start with a phone call and a meeting with that person. State your concern, give the facts you know about the situation, and tell that person how you think it should be handled. Don't always assume you are right and the other person is wrong. Listening is just as important as voicing your concerns.

If after talking with the person you still do not feel the problem is fixed, then contact and talk to a supervisor. The supervisor is usually your school principal. Tell him/her all of the facts and give him/her time to investigate the situation. If the problem is with your principal, ask for assistance from your local Advisory Education Committee. Contact your AEC Chairperson to set up a meeting with the principal, or asked to be placed on the agenda at the next AEC meeting.

If the problem is with someone at the district office, contact Director Ted VanBronkhorst, to help you find the right supervisor to talk to.

If after you have talked with your principal and your AEC at a meeting, and you are still unable to solve your problem, then you may file, in writing, a **formal complaint** to the Principal (or supervisor). When you write the formal complaint (or an appeal to a formal complaint) state the facts of the problem, what has or has not been done, and why you feel the problem is still not resolved. It is important that you file your complaint in WRITING so that eventually the Superintendent and the School Board can see what has been done by an employee and their supervisor(s). If you need help in writing the formal complaint, you may contact the District Office for assistance. There are certain timelines (days) in which you have to file a complaint---so don't wait too long.

Once you file a written formal complaint with a supervisor, then the supervisor must, within a certain number of days, give you a formal answer in writing. If after you receive this letter you still disagree with a supervisor's decision, then you may file an **appeal in writing** to another, higher level supervisor. Each time you appeal a supervisor's decision it follows an appropriate administrative chain of supervision, depending upon what the complaint is about. If, after one step, you are not satisfied with the answer, then you must appeal, in writing, to the next person in the chain of supervision, and so on, until you reach the Superintendent and/or the School Board. Usually the very last appeal is to the Superintendent or the School Board, depending upon the situation or board policy.

If you have any questions about this procedure, ask your local principal or call Director Ted VanBronkhorst, at the District Office.

Filing a Complaint Step by Step

Concerns about a program or an activity in your school? (Board Policy 1312)

- Step 1** Try to resolve your problem at the local level by talking to your
 - Teacher or Staff Member
 - Principal
 - AEC Members at a meeting
- Step 2** Write a formal letter to your principal
- Step 3** If not resolved, write a formal appeal to Director, Ted VanBronkhorst
- Step 4** If not resolved, write a formal appeal to Superintendent, Jim Hickerson
- Step 5** If not resolved, write a formal appeal to the BSSD School Board

Concerns about your student in school? (Board Policy 1312)

- Step 1** Try to resolve your problem at the local level by talking to your
 - Teacher or Staff Member
 - Principal
 - AEC Members at a meeting
- Step 2** Write a formal letter to your principal
- Step 3** If not resolved, write a formal appeal to Director, Ted VanBronkhorst
- Step 4** If not resolved, write a formal appeal to Superintendent, Jim Hickerson
- Step 5** If not resolved, write a formal appeal to the BSSD School Board

Concerns about the school facilities? (Board Policy 1312)

- Step 1** Try to resolve your problem at the local level by talking to your
- Teacher or Staff Member
 - Principal
 - AEC Members at a meeting
- Step 2** Write a formal letter to your principal
- Step 3** If not resolved, write a formal appeal to Director, Bob Dickens
- Step 4** If not resolved, write a formal appeal to Superintendent, Jim Hickerson
- Step 5** If not resolved, write a formal appeal to the BSSD School Board

Concerns about a staff member, teacher or principal at your school? (Board Policy 1312)

- Step 1** Try to resolve your problem at the local level by talking to your
- Teacher or Staff Member
 - Principal
 - AEC Members at a meeting
- Step 2** Write a formal letter to your principal
- Step 3** If not resolved, write a formal appeal to Director, Ted VanBronkhorst
- Step 4** If not resolved, write a formal appeal to Superintendent, Jim Hickerson
- Step 5** If not resolved, write a formal appeal to the BSSD School Board

If you are a student in the district and you have a complaint about how you were treated? (Board Policy 5145.5)

- Step 1** Try to resolve your problem at the local level by talking to your
- Teacher or Staff Member
 - Principal
 - AEC Members at a meeting
- Step 2** Write a formal letter to your principal
- Step 3** If not resolved, write a formal appeal to Director, Ted VanBronkhorst
- Step 4** If not resolved, write a formal appeal to Superintendent, Jim Hickerson
(At this appeal, the Superintendent's decision is final)

If you are a classified employee of the district and you have a complaint about how you were treated? (Board Policy 4144 and Classified Policy Manual- Complaint Procedure)

- Step 1** Try to resolve your problem at the local level by talking to your
- Teacher or Staff Member
 - Principal
 - AEC Members at a meeting
- Step 2** Write a formal letter to your principal
- Step 3** If not resolved, write a formal appeal to Director, Ted VanBronkhorst
- Step 4** If not resolved, write a formal appeal to Superintendent, Jim Hickerson
(At this appeal, the Superintendent's decision is final)

If you are a certificated/teacher employee of the district and you have a complaint about how you were treated? (Board Policy 4144 and Teacher's Negotiated Agreement)

Follow the Teacher's Negotiated Agreement Grievance Procedure

Some additional suggestions:

- Always call the teacher (or principal) first and tell them you have a concern. Set up an appointment to meet with the person. Even if you are angry about something, remain calm and try to wait until the appointment to discuss your problem.
- If you do not feel comfortable in talking with your teacher or your principal alone, then ask another member of your family, a friend, or someone you know to go with you. If you need someone to interpret for you, ask your principal to provide someone during the meeting.
- State the facts as you know them, what solution you feel is best and feel free to ask questions so you can understand and listen the other person's point of view. You may not agree, but the important thing is that you express how you feel or what you think.
- Try to work with the person to resolve your concern. If after your meeting you still do not feel your problem is solved, then you may file a written formal complaint to that person's supervisor. If you need help in knowing who to write to, call your Principal or Director Ted VanBronkhorst for assistance.