

Upper Perkiomen School District

SECTION: COMMUNITY

TITLE: PUBLIC COMPLAINTS

ADOPTED: 4/13/00

REVIEWED: 2/26/15

REVISED: 12/06/07, 4/9/15

<p>1. Purpose</p> <p>2. Authority</p>	<p style="text-align: center;">906 – PRESENTATION OF REQUESTS, SUGGESTIONS AND COMPLAINTS BY THE GENERAL PUBLIC</p> <p>The Board seeks to encourage a culture of open and honest communication. We welcome feedback on our own performance and community perceptions of the Board and decisions made. In the spirit of such a culture, any parent, resident or community group shall have the right to present a request, suggestion or complaint concerning personnel, programs, or operations of the Upper Perkiomen School District. At the same time, the Board has a duty to protect its staff from unnecessary harassment. It is the Board's intent to provide a fair and impartial manner for seeking appropriate remedies.</p> <p><u>Board Communication Line</u></p> <p>In the spirit of such a culture, the Board has established a communication line to provide community members, parents, or employees with a web-based point-to-point communication link directly to the Board to provide input on any issues related to Board business. This Communication Line is intended to provide a simple and readily available mechanism for District residents and taxpayers to present a request, suggestion or complaint concerning the programs and operations of District. With respect to complaints about specific personnel, the Board places trust in its employees and desires to support their actions in such a manner that employees are freed from unnecessary, spiteful, or negative criticism and complaints. Therefore, the Board encourages District employees to utilize the normal chain of command for typical workplace issues and the establishment of the Communications Line does not fundamentally change the responsibility for conducting investigations or change the chain of command. Individual employee grievances and complaints regarding terms and conditions of employment or from the public about employees will continue to be reviewed under the procedures set forth below under "Complaints Regarding District Employees" or the applicable collective bargaining agreement.</p> <p>The Board retains the prerogative to determine when circumstances warrant a follow up and, in conformity with this policy and applicable laws and regulations, the appropriate process to be employed. This includes sharing the comment with the appropriate personnel to address the situation.</p> <p><u>Other Requests, Suggestions or Complaints</u></p> <p>The Board directs the administration to develop procedures for receiving complaints courteously and making a proper reply to the complainant. If resolution of the problem seems unlikely at the building level, either party is encouraged to refer the matter to the Superintendent for review.</p> <p>Whenever a complaint is made directly to the Board as a whole or to a Board member</p>
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906 – PUBLIC COMPLAINTS

3. Guidelines	<p>as an individual, it shall be referred to the Superintendent for study and possible solutions. The individual employee involved shall be advised of the nature of the complaint and shall be given every opportunity for explanation, comment, and presentation of the facts as s/he sees them.</p> <p>If it appears necessary, the administration, the complainant or the employee involved may request an executive session of the Board for the purpose of fuller study and a decision by this body. Such a request will be granted or denied at the sole discretion of the Board. Generally, all parties involved, including the school administration, shall be asked to attend such a meeting for the purposes of presenting additional facts, making further explanations, and clarifying the issues.</p> <p>The Board shall conduct such meetings in as fair and just a manner as possible.</p> <p>The Board will consider hearing citizen complaints when they cannot be resolved by the administration. Matters referred to the Board must be in writing and should be specific in terms of the action desired. The Board will not consider or act on complaints that have not been explored at the appropriate administrative level.</p> <p><u>Complaints About Teachers and Other Employees</u></p> <p>Procedural Requirement:</p> <p>Any complaints regarding a teacher made to any member of the administration by any parent, student or other person which does or may influence evaluation of a teacher shall be processed according to the procedure outlined.</p> <p>Meeting With Principal or Immediate Supervisor:</p> <p>The principal or immediate supervisor shall meet with the teacher to apprise the teacher of the full nature of the complaint and they shall attempt to resolve the matter informally.</p> <p>Right to Representation:</p> <p>The teacher shall have the right, if requested by the teacher, to be represented by the Association at any subsequent meetings or conferences regarding such complaint.</p> <p>Procedure:</p> <p>Step 1 In the event a complaint is unresolved to the satisfaction of all parties, the teacher may request a conference with the complainant to attempt to resolve the complaint. If the complaint is unresolved as a result of such conference or if no mutual acceptable conference can be agreed on, the complaint shall move to Step 2.</p> <p>Step 2 Any complaint unresolved under Step 1, at the request of the teacher or the complainant, shall be reviewed by the building principal or counterpart supervisor in an attempt to resolve the matter to the satisfaction of all parties concerned.</p>
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906 – PUBLIC COMPLAINTS

<p>No Child Left Behind Act – 20 U.S.C Sec. 7844</p>	<p>Step 3 Any complaint unresolved at Step 2 may be submitted in writing by the complainant or the teacher to the building principal who shall forthwith forward a copy to the Director of Human Resources, or counterpart supervisor, and the complainant.</p> <p>Step 4 Upon receipt of the written complaint, the Director of Human Resources or his/her designee shall confer with all parties. The teacher shall have the right to be present at all meetings of the Director of Human Resources and the complainant.</p> <p>Step 5 If the Director of Human Resources is unable to resolve a complaint to the satisfaction of all parties concerned, at the request of the complainant of the teacher, s/he shall forward the results to his/her investigation along with his/her recommendation, in writing, to the Superintendent, and a copy to all parties concerned.</p> <p>Step 6 Upon receipt of the written complaint, the Superintendent shall confer with all parties. The teacher shall have the right to be present at all meetings of the Superintendent and the complainant.</p> <p><u>Complaint Procedure Involving General Complaints Not About a Teacher</u></p> <p>General complaints about Board policy and District procedures, programs, operations, facilities and personnel (other than teachers), including complaints alleging violations of law in the District's administration of the No Child Left Behind Act (NCLB), shall be processed in accordance with the above procedure beginning at Step 2.</p> <p>The complaint must be filed with the District as a written, signed statement that identifies:</p> <ol style="list-style-type: none">1. Alleged complaint or NCLB violation.2. Facts supporting the alleged complaint violation.3. Supporting documentation, such as information on discussions, correspondence or meetings with the District regarding the complaint. <p>Complaints alleging NCLB violations shall also be referred to the Federal Programs Coordinator, who will notify the Superintendent or designee. The Federal Programs Coordinator may be assigned by the Superintendent to conduct an independent investigation in lieu of the procedure set forth above which could include but not be limited to:</p> <ol style="list-style-type: none">1. On-site visit to the building that is the subject of the complaint.2. Opportunity to present evidence by all individuals and/or organizations involved.3. Opportunity for each side to question parties of other side and witnesses. <p>When the investigation is completed, the Federal Programs Coordinator will prepare a report with a recommendation for resolving the complaint. The report will include:</p> <ol style="list-style-type: none">1. Name of the individual or organization filing the complaint.2. Nature of the complaint.3. Summary of the investigation.
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906 – PUBLIC COMPLAINTS

- 4. Recommended resolution.
- 5. Reasons for the recommended resolution.

The Federal Programs Coordinator will submit the report to the Superintendent or designee, who will determine whether further investigation is required and/or the District's final response. All parties involved in the complaint will be notified of the resolution of the complaint by the Federal Programs Coordinator.

The Federal Programs Coordinator will ensure that the resolution of the complaint is implemented.

Timeline for Resolution of All Complaints

The time period between receipt and resolution of a complaint will not exceed sixty (60) calendar days, unless circumstances require additional time.