

**LUZERNE
INTERMEDIATE
UNIT #18**

**SECTION: PROFESSIONAL EMPLOYEES
TITLE: COMPLAINT PROCESS
ADOPTED: NOVEMBER 20, 2002
REVISED: SEPTEMBER 24, 2014**

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	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. The goals of this policy are as follows: <ol style="list-style-type: none">1. The policy is intended to be used after an attempt has been made to resolve a difficulty on a face-to-face basis between the parties concerned.2. The policy is to secure proper and equitable solutions to complaints at the lowest appropriate level, and to facilitate an orderly succession of procedures.3. There shall be no reprisals of any kind taken against any employee because of participation in a complaint or support thereof.
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	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. A complainant may be represented or accompanied at the higher levels of authority by anyone s/he chooses. The time limit 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 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 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 ten (10) days, the immediate supervisor shall communicate a written decision to the complainant. If the supervisor 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 complaint. Either party may request the presence of one (1) conferee.

Level Two – Assistant Executive Director or Designee

Within ten (10) days after receiving the decision of the administrator in Level One, the complainant may appeal the decision to the Assistant Executive Director 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 Assistant Executive Director 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 Assistant Executive Director or designee shall submit a written decision, together with the supporting reasons, to the complainant and the administrator involved.

Level Three – Executive Director

Within ten (10) days after receiving the decision of the administrator in Level Two, the complainant may appeal the decision at Level Two to the Executive Director. The appeal shall be in writing and accompanied by a copy of the decisions at Level One and Level Two.

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

Within ten (10) days after delivery of the appeal, The Executive Director shall submit his/her decision in writing, together with the supporting reasons, to the complainant and the administrator (s) involved.

Level Four, Discussion with the Board

Within ten (10) days after receiving the decision of the Executive Director 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 ten (10) days the Board will submit its written decision, together with supporting reasons, to the complainant. A copy shall be furnished to the administrator (s) involved.

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.