

## Walden Academy Policy and Procedure Manual

### Chapter 8000, Board

#### Section 8300, Concerns and Complaints

Date: Approved April 8, 2014

Responsible Department: Administration

Source Document: [http://www.berkeleyschools.net/wp-content/uploads/2011/10/BoardPolicy\\_Complaints.pdf](http://www.berkeleyschools.net/wp-content/uploads/2011/10/BoardPolicy_Complaints.pdf)

The Board of Directors (the Board) believes that the quality of the educational program can improve when the school listens to concerns and complaints, considers differences of opinion, and resolves disagreements through an established, objective process.

The Board encourages complainants to resolve problems early and informally whenever possible. The complainant must be directly involved with the complaint. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate school procedures. School procedures shall be readily accessible to the public.

Individual Board members do not have authority to resolve complaints. If approached directly with a complaint, however, Board members should listen to the complaint and show their concern by referring the complainant to the School Director or designee so that the problem may receive proper consideration.

The Board believes that all complaints, to the extent possible, should be resolved informally and at the lowest level possible. However, for those situations requiring invocation of the formal process, we are committed to adherence to this process that values the concerns of our staff, parents, students and the public.

#### A. Complaints against School Employees

To promote prompt and fair resolution of the complaint, the following procedure shall govern the resolution of complaints against employees.

##### **Step 1: Informal Resolution**

Every effort should be made to resolve a complaint at the earliest possible stage.

Whenever possible, the complainant should communicate directly with the employee involved in order to resolve concerns.

If the complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may file a written complaint directly with the School Director. (Step 2)

##### **Step 2: Filing a Written Formal Complaint**

Written complaints shall be made using the school's Complaint Form (Exhibit A). All complaints must include:

- a. The full name of each employee involved;
- b. A brief but specific summary of the complaint and the facts surrounding it, and;
- c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.

If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so.

##### **Step 3: School Director Conference and Response**

Within five (5) working days of receipt of the written complaint, the School Director shall

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communicate with the parties involved.

The School Director shall provide a written response to all parties within five (5) working days from the date of the conference with the parties.

The School Director's decision is final.

### B. Complaints against School Director

To promote prompt and fair resolution of the complaint, the following procedure shall govern the resolution of complaints against the School Director.

#### **Step 1: Informal Resolution**

Every effort should be made to resolve a complaint at the earliest possible stage.

The complainant should communicate directly with the School Director in order to resolve concerns. The complainant may request an administrative third-party to be present during a meeting with the School Director.

If the complainant is unable or unwilling to resolve the complaint directly with the School Director, he/she may file a written complaint directly with the Board, via the Chairperson of the Board. The Chairperson will forward the full complaint to Board Members via email within 48 hours of receipt with notice of a special meeting. (Step 2)

#### **Step 2: Filing a Written Formal Complaint**

Written complaints shall be made using the school's Complaint Form (Exhibit A). All complaints must include:

- a. The full name of each employee involved;
- b. A brief but specific summary of the complaint and the facts surrounding it, and;
- c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.

If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so.

#### **Step 3: School Board Conference and Response**

Within five (5) working days of receipt of the written complaint, the Board shall hold a special meeting in closed session to confer with the parties involved.

The Board shall provide a written response to all parties within five (5) working days from the date of the meeting with the parties.

The Board's decision is final.

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### C. Complaints Regarding School Policies

1. When examining complaints regarding policy, the Governance Committee (GC) may act to interpret the rules of such documents.
2. If the GC finds that a school procedure or practice violates school policy, Education Code, or is deemed to violate other state or federal law, the, the finding will be forwarded in writing to the complainant and to the School Director for resolution;
3. The GC may also recommend to the School Director and Board changes to school policy and procedures in order to rectify a complaint if it is found to be in the best interests of all students.
4. The complainant has the right to appeal all decisions made by the GC with the Board. Step 5.
5. If no GC is active, complaints will go to the Board and Step 4 removed.

#### Step 1: Informal Resolution

Every effort should be made to resolve a complaint at the earliest possible stage.

Whenever possible, the complainant should communicate directly with the School Director or Employee involved in order to resolve concerns.

If the complainant is unable or unwilling to resolve the complaint directly with the employee or School Director, he/she may file a written complaint directly with the School Director.

#### Step 2: Filing a Written Formal Complaint

Written complaints shall be made using the school's Complaint Form (Exhibit A). All complaints must include:

- a. A brief but specific summary of the complaint and the facts surrounding it, and;
- b. A specific description of any prior attempt to discuss the complaint and the failure to resolve the matter.

If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so.

#### Step 3: School Director Conference and Response

Within five (5) working days of receipt of the written complaint, the School Director shall confer with the parties involved.

The School Director shall provide a written response to all parties within five (5) working days from the date of the conference with the parties.

The complainant may appeal the response issued by the School Director by filing the Complaint Form with the Governance Committee (GC).

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#### **Step 4: Governance Committee Conference and Response**

The GC shall attempt to resolve the complaint to the satisfaction of the person involved within fifteen (15) days of receiving the appeal.

The GC will communicate their findings and resolution to all parties in writing. The complainant may appeal the decision from the GC to the Board.

#### **Step 5: Board Hearing for any Complaint Regarding a School Policy**

Before any Board consideration of a complaint, the School Director or designee shall submit to the Board a written report concerning the complaint, including but not limited to:

- a. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a response;
- b. A copy of the signed original complaint;
- c. A summary of the action taken by the School Director or designee, together with his/her specific finding that the problem has not been resolved and the reasons.

The Board may uphold the School Director's decision without hearing the complaint. If the Board decides not to hold a hearing, the School Director will notify the complainant of the Board's decision to uphold the School Director's decision. The Board shall render a decision within ten (10) days.

All parties to a complaint may be asked to attend a Board meeting in order to clarify the issue and present available evidence.

A closed session may be held to hear the complaint in accordance with law.

The decision of the Board shall be final.

#### **D. Reporting**

The School Director or designee shall report to the Board of Directors quarterly regarding all complaints filed. The quarterly report shall at a minimum include:

- i. The number of written complaints filed for the reporting period;
- ii. An issue summary of the complaints for the reporting period; and
- iii. An analysis of complaints.