

POLICY

2003

3230

Community Relations

SUBJECT: PUBLIC COMPLAINTS

Complaints by citizens regarding any facet of the school operation often can be handled more satisfactorily by the administrative officer in charge of the unit closest to the source of the complaint. In most instances, therefore, complaints will be made to the building principal and/or his/her assistant if the matter cannot be resolved by the teacher, coach, or other school employee.

If the complaint and related concerns are not resolved at this level to the satisfaction of the complainant, the complaint may be carried to the Superintendent and/or one of his/her assistants. Unresolved complaints at the building level must be reported to the Superintendent by the building principal. The Superintendent may require the statement of the complainant in writing.

If the complaint and related concerns are not resolved at the Superintendent level to the satisfaction of the complainant, the complaint may be carried to the Board of Education. Unresolved complaints at the Superintendent level must be reported to the Board of Education by the Superintendent. The Board of Education reserves the right to require prior written reports from appropriate parties.

Individual Board members will refer persons making complaints to the Superintendent. Board members will refrain from expressing any judgment until such complaint is submitted to the entire Board. The Superintendent shall refer complaints to other staff members when appropriate.

Adopted: 7/2/03

REGULATION

2005

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Community Relations

SUBJECT: ANTI-DISCRIMINATION COMPLAINT GUIDELINES

Any type of discrimination allegedly occurring within the District shall be investigated by the appropriate official in accordance with the following District regulations and procedures.

In following these procedures, should the investigating official be the alleged source of discrimination, then the employee/student or potential employee/student shall report his/her complaint to the next level of supervisory authority. Both informal and/or formal complaint procedures may be used to report allegations of discrimination.

All reports of alleged discrimination will be held confidential to the extent possible consistent with the District's legal obligations in conducting a thorough investigation and/or taking appropriate disciplinary measures. Subject to all applicable laws and collective bargaining agreements, the following guidelines shall be utilized in the investigation and resolution of discrimination complaints.

Step 1 - Informal Complaint

- 1) An employee or student who believes that he/she has been subjected to any type of discrimination shall immediately notify his/her immediate supervisor or principal on the complaint form provided by the District.
- 2) A potential employee or potential student who believes that he/she has been subjected to any type of discrimination shall immediately notify the District's complaint officer. Those procedures established under Step 2 - Formal Complaint will then apply (see below).
- 3) Within fourteen (14) days after receipt of the complaint the supervisor or principal will correct the situation stated in the complaint if he/she finds the complaint valid and if the correction of the complaint is within his/her scope of authority.

The action taken by the supervisor or principal will be noted on the complaint form.

- a. The supervisor or principal may consult with or seek the assistance of the complaint officer in resolving the complaint.
- b. If the supervisor or principal can not resolve the issues raised in the complaint within fourteen (14) days, he/she shall notify the complainant of that fact before the expiration of the fourteen (14) day period and he/she shall further indicate the approximate date on which his/her determination will be made.
- c. If resolution of the complaint is not within the scope of the authority of the supervisor or principal, he/she shall immediately notify the complainant who may then initiate those procedures set forth in the next section if he/she so desires.

(Continued)

SUBJECT: ANTI-DISCRIMINATION COMPLAINT GUIDELINES (Cont'd.)**Step 2 - Formal Complaint**

If the complaint was not resolved at the informal stage to the satisfaction of the complainant, he/she may within fourteen (14) days of the decision of the supervisor or principal ask that the complaint officer or his/her designee review the allegations raised by stating his/her reasons on the complaint form provided by the District and filing them with the complaint officer.

- 1) The complaint officer or his/her designee will review the file and if necessary conduct his/her own investigation. The decision of the complaint officer will be made in writing within fourteen (14) days from presentation of the complaint to him/her unless the complaint officer has notified complainant that a period in excess of fourteen (14) days will be needed for him/her to conduct the investigation and render his/her decision.
- 2) If the complaint officer concludes that further action beyond that taken by the supervisor or principal must be taken, he/she shall immediately notify the Superintendent so that the complaint officer's recommendations may be reviewed and implemented by the Superintendent.

Step 3 - Corrective Action/Resolution

The complaint officer will inform the Superintendent of the outcome of his/her investigation. If the Superintendent of Schools issues a finding that no form of discrimination has occurred, the complainant, if not satisfied with this resolution, may appeal the decision to the Board of Education. If the complainant is satisfied with the Superintendent's finding, the complainant will so indicate in writing and the matter will be deemed closed.

Should the Superintendent determine that corrective action is necessary, the Superintendent of Schools shall follow all applicable law and regulations and appropriate collective bargaining agreements in the resolution of the complaint.

The complainant shall receive a copy of any and all reports issued by the Superintendent pertaining to the investigation/outcome of the formal complaint.

Step 4 - Appeal to the Board of Education

In the event that a complainant files an appeal with the Board of Education following a finding by the Superintendent of Schools, the Board of Education will conduct a hearing and issue a written response to the complainant following completion of the hearing.

(Continued)

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Community Relations

SUBJECT: ANTI-DISCRIMINATION COMPLAINT GUIDELINES (Cont'd.)

The District shall take all appropriate measures to prevent the occurrence or continuation of any type of discrimination and shall implement remedial or corrective action where necessary.

Regardless of whether a complaint has been filed, if the District knows or has reason to know of the existence of any type of discrimination, the District shall require a prompt and thorough investigation by appropriate personnel.

Scope of Legal Action

The filing of a complaint, and/or the rendering of a decision regarding the complaint shall in no way prohibit, prevent or limit the complainant from taking appropriate legal action in accordance with state and federal law.

NOTE: Refer also to Regulation #3420R -- Anti-Harassment in the School District

PROCEDURE

2005

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Community Relations

SUBJECT: ANTI-DISCRIMINATION COMPLAINT PROCEDURES

<u>Responsibility</u>	<u>Action</u>
Complainant (Employee/Student)	1) Notifies his/her immediate supervisor or principal on the complaint form provided by the District. (In the case of a potential employee/student, he/she shall immediately notify the District's complaint officer).
Supervisor/Principal *	2) a. Within fourteen (14) days after receipt of the complaint, corrects the situation stated in the complaint if he/she finds the complaint valid and if such action is within his/her scope of authority. b. Notes on the complaint form the action taken.
Complainant	3) If the complaint has not been resolved to his/her satisfaction, may file a formal complaint with the complaint officer within fourteen (14) days of the decision of the supervisor or principal on the form provided by the District.
Complaint Officer/Designee *	4) a. Reviews the file and, if necessary, conducts his/her own investigation. b. Makes decision in writing within fourteen (14) days from receipt of the complaint, or notifies the complainant that more time will be needed for further investigation before rendering a decision. c. Notifies the Superintendent of his/her recommendations for review and/or implementation.
Superintendent	5) a. Issues a finding as to whether discrimination has occurred.

* If the investigating official is the alleged source of discrimination, then the complainant shall report his/her complaint to the next level of supervisory authority.

(Continued)

PROCEDURE

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Community Relations

SUBJECT: ANTI-DISCRIMINATION COMPLAINT PROCEDURES (Cont'd.)

Responsibility

Action

Superintendent (Cont'd.)

- b. If corrective action is deemed necessary, follows all applicable law and regulations and appropriate collective bargaining agreements in implementing such action.

Complainant

- 6) a. Receives a copy of any and all reports issued by the Superintendent pertaining to the investigation/outcome of the formal complaint.
- b. If satisfied with the resolution, so indicates in writing.
- c. If not satisfied, may appeal to the Board of Education or may take appropriate legal action in accordance with state and federal law.

Board of Education

- 7) If complainant files an appeal, conducts a hearing and issues a written response to the complainant.

**TACONIC HILLS CENTRAL SCHOOL DISTRICT
ANTI-DISCRIMINATION COMPLAINT FORM**

Complainant:

Name _____

Mailing Address _____

Telephone _____ Date Filed _____

Description of Alleged Discrimination _____

Time and Place of Violation _____

Statement of Complaint _____

Remedy Sought by Complainant _____

Reason for Dissatisfaction with Informal and/or Formal Steps (Steps one and/or two) of Anti-Discrimination Complaint Procedures (if applicable)

_____ Date

_____ Signature of Complainant

(Continued)

TACONIC HILLS CENTRAL SCHOOL DISTRICT
ANTI-DISCRIMINATION COMPLAINT FORM (Cont'd.)
(To Be Completed by Various District Personnel)

Decision of Principal or Supervisor and Action Taken

Decision of Complaint Officer

Action Taken by Superintendent

Action by the Board

Other Comments

Date

Signature of Complaint Officer

Date

Signature of Superintendent

NOTE: Refer also to Form #3420F -- Harassment Complaint Form as may be applicable