



SECTION V: EMPLOYEES POLICY 5115

Employee Complaint Resolution Process

The purpose of this policy is to provide a process for the resolution of any complaint by an employee of the School District under conditions not otherwise covered under employment agreements.

The purpose of the Complaint Process shall be to provide prompt and equitable resolution of a complaint alleging action which is in violation of school district policy or regulations. The procedure shall not be available for grievances for which another established procedure exists. Informal resolution of a complaint is encouraged. Discussion between persons directly involved in the complaint is encouraged. Whenever the informal resolution is not successful, the administrative process outlined shall be used to seek adjustment of a complaint.

The number of days indicated for the processing of a complaint should be considered the maximum. The time limits specified may, however, be extended by mutual written consent of the parties involved.

The employee submitting a complaint for review may withdraw the complaint at any time by notifying in writing the administrator at the level at which the complaint is being reviewed or by notifying the Superintendent of Schools. Any such complaint that is withdrawn shall be considered waived.

Complaints alleging sex discrimination should be directed to the Title IX compliance officer of the school district. The Title IX compliance officer may be involved in an additional intermediate step in an effort to seek resolution of the complaint.

If a complaint directly involves a building principal, is directed against a principal, or is directed against a policy that the principal has decided upon, the complainant may elect to skip Level One and proceed immediately to Level Two in the complaint resolution process.

Failure on the part of the principal to call a meeting, or to enter a decision in writing within the designated time outlined in the procedure, shall constitute a basis for an automatic appeal to the next level of complaint resolution.

If a complaint affects more than one person, the complainants may submit the complaint in writing to the Superintendent of Schools, or designee, shall determine whether or not the complaint resolution should begin at Level One or Level Two, based on circumstances involved in the complaint and the number of individuals seeking resolution to the complaint.

Failure at any step of this procedure to appeal the complaint decision to the next level within the specified time limits shall be deemed to be acceptance of the decision given at that level.

Level One

1. The complaint shall be submitted in writing to the building principal, or appropriate supervisor, and discussed personally with the objective of resolving the matter informally.
2. If resolution is not obtained through the brief informal discussion, the written



SECTION V: EMPLOYEES POLICY 5115

Employee Complaint Resolution Process

complaint shall be accepted by the principal. Within five (5) days of receipt of the complaint, the principal shall set a meeting with the complainant. The principal shall make every effort to resolve the matter equitably and as quickly as possible.

3. Within five (5) days of the conference, the principal shall communicate the decision in writing to the complainant.

Level Two

1. If the complainant is not satisfied with the disposition of the complaint at Level One, complainant may request a review by the Superintendent of Schools, or designee, within five (5) days of the decision given at Level One. The written request shall include a statement of the decision to be reviewed, the grounds for regarding the decision unacceptable, and the requested action.
2. Within five (5) days of receipt of the written request, the Superintendent, or designee, will request the principal or immediate supervisor to forward to the Superintendent of Schools, or designee, in writing the decision and the rationale given at Level One. A copy will be provided to the complainant.
3. Requests at this level shall be reviewed within ten (10) days of receipt of the request. The Superintendent or Superintendent's designee shall appoint a review committee of not less than three school district employees who shall be certified administrators. The review committee will be given copies of the review request and the decision and rationale given at Level One. After review of the written statements by the committee, the Superintendent or Superintendent's designee will issue a statement notifying the individual as to whether the committee decides to uphold or modify the Level One decision.
4. Within five (5) days of the review, the Superintendent, or designee, shall communicate the decision in writing to the principal or immediate supervisor, and to the complainant.

Level Three

1. Within five (5) days of receipt of the decision given at Level Two, the complainant may request the decision be reviewed by the Board of Education. This request shall include a copy of the decision being appealed, the grounds for regarding the decision unacceptable, and the requested course of action. Each board member will be provided with copies of the statements and decisions rendered at Level One and Level Two.
2. Appeals at this level shall be reviewed by the Board of Education at either a regular meeting or a special meeting.
3. Upon receipt of the written appeal, the Superintendent shall confer with the Board and determine the specific meeting at which the appeal will be considered, and then include the appeal as an agenda item for the appropriate meeting.



SECTION V: EMPLOYEES POLICY 5115

Employee Complaint Resolution Process

4. Written notice of the time and place of the meeting shall be given by the Board's designee to the complainant no later than three (3) days prior to the date of the meeting.
5. Board members may vote to uphold or modify the decision of the Level Two review committee based upon their individual review of the record. If, at the meeting, the board members want to discuss the appeal among themselves, the discussion must take place in open session unless there is an appropriate basis under the Oklahoma Open Meeting Act upon which to hold the discussion to executive session. If the Board determines that additional information is needed before a decision can be rendered, a hearing shall be set to obtain additional information.
6. Should the Board determine that a hearing is necessary; the Board shall use hearing procedures and guidelines that will provide the parties with appropriate due process.
7. The Board shall render its decision in writing within ten (10) days after conclusion of the meeting or hearing. Copies of the decision shall be provided to the complainant, the principal or immediate supervisor, and other persons as designated by the Board.
8. The decision of the Board shall be final.

The complaint resolution procedure does not abrogate the right of a person to seek relief in the courts.

Source: *Broken Arrow Board of Education policy adoption, September 11, 2023.*



SECTION V: EMPLOYEES

POLICY 5115

COMPLAINT RESOLUTION PROCESS

**NOTICE OF COMPLAINT
REQUEST FOR RESOLUTION THROUGH ADMINISTRATIVE PROCESS**

Name of Building Principal/Appropriate Supervisor to Whom Complaint is Addressed: _____

Name of Complainant: _____

Job Assignment (if employee): _____

Job Site: _____

Name of Person Complained Against: _____

Job Assignment (if applicable): _____

Date Complaint Filed: _____

PLEASE BE SPECIFIC AND PROVIDE COMPLETE DETAILS IN STATING COMPLAINT

A. List School District Policy or Regulation Allegedly Violated: _____

B. Date Violation Occurred: _____

C. Locations at Which Violation Occurred: _____

D. Witnessed to Violation (attach witness statements): _____

E. Description of Violation (attach additional sheet for explanation if necessary): _____

Proposed Resolution: _____



Signature of Complainant

Date

Note: If an employment complaint is directed against an immediate supervisor, the complainant may elect to make complaint directly to the Human Resources Department.