

SCHOOL FOR INTEGRATED ACADEMICS AND TECHNOLOGIES

INTRODUCTION

The complaint procedures described in this section are used on the occasion when administrators and leaders within School for Integrated Academics and Technologies (SIATech Academy South) receive complaints from students, parents, and patrons for all types of complaints and from employees in any cases that may have legal ramifications such as discrimination and harassment. It is SIATech Academy South’s policy to resolve these complaints informally and as early as possible. Often this can be achieved by arranging for the person making the complaint to meet with the person about whom they are complaining.

The purpose of this document is to help guide those who choose to file a formal complaint into the appropriate process. This is an important first step as complaints initiated in an improper procedure will create delays and make resolution difficult.

Each of the complaints listed below are governed by a different set of laws, procedures, and forms. The summary page indicates the procedure to be followed and the forms to be used. The detail sections contain the full written procedure and a copy of the appropriate form.

- A. Complaints against SIATech Academy South Personnel (Non-Management)
- B. Complaints against SIATech Academy South Personnel (Management)
- C. Complaints of Discrimination against Individuals
- D. Complaints Concerning Programs and Programmatic Discrimination

Hopefully, this guide will be helpful. Please contact the SIATech Academy South Central Administration Office for any questions regarding this document.

A. COMPLAINTS CONCERNING SIATECH ACADEMY SOUTH PERSONNEL (Non-Management)

This procedure is to guide students, parents, and patrons in their complaints against SIATech Academy South employees. This procedure is not to be used by employees to resolve complaints against other employees. Such complaints should be directed to their supervisor, the supervisor of the respondent, or resolved according to terms of contract.

The normal channel for complaints by patrons concerning SIATech Academy South personnel (non-management) is as follows:

- 1. To employee
- 2. To site administrator or supervisor
- 3. To the Superintendent/CEO

Every effort will be made to resolve the matter informally at the earliest possible stage. Complaints not resolved by employee or site administrator will be submitted formally in writing (utilizing designated form – Formal Complaint against SIATech Academy South Personnel) to the Superintendent/CEO for further processing.

Complainants must initiate resolution of the complaint, either informally or formally, within thirty (30) days of the events triggering the complaints. If the attempts at informal resolution are unsuccessful, the complainant must file a formal complaint within 30 days of the informal conference. Failure to meet these timelines may result in dismissal of the complaint.

Complaints that are unresolved by the site administrator or supervisor may be referred to the Superintendent/CEO.

The Superintendent/CEO shall receive a written report concerning the complaint from the site administrator or supervisor. Such written report shall include, but is not limited to, the following:

1. Name of the employee involved;
2. A brief but specific summary of the nature of the complaint and the facts surrounding same, sufficient to inform the Superintendent/CEO as to the precise nature of the complaint;
3. A true copy or the signed original of the complaint;
4. A summary of the action taken by the site administrator or supervisor, in connection with the complaint and his/her specific findings.

The Superintendent/CEO may decide whether to hear the complaint in person, assign a designee to hear the complaint, to act on the basis of the written report, or to allow the decision of the site administrator or supervisor to stand. The Superintendent/CEO or his/her designee shall reply to the complainant(s) within fifteen (15) days of receipt of the written report.

The SIATech Academy South Central Administration Office shall cooperate with the parties involved so as to quickly and easily meet the requirements of these policies and procedures.

B. COMPLAINTS AGAINST SIATECH ACADEMY SOUTH PERSONNEL (Management)

Ideally, when parents or patrons have complaints concerning management personnel, such complaints are to be presented initially to the manager who is the subject of the complaint. If unresolved at this level, the complaint may be processed by the complainant through the chain of command until solution is reached.

The chain of command is from site administrator/leader to Executive Director of Personnel Support Services to Superintendent/CEO. If the complaint has been unresolved at the first two stages, it is referred to the Superintendent/CEO.

Every effort will be made to resolve the matter informally at the earliest possible stage. Complaints not resolved at the site/department may be submitted by the complainant (utilizing designated form – Complaint against SIATech Academy South Personnel) to the appropriate Central Office administrator for further processing. If considered appropriate, the Executive Director of Personnel Support Services or Superintendent/CEO designee will become involved in the matter at this level.

Complainants must initiate resolution of the complaint either informally or formally, within thirty (30) days of the events triggering the complaint. If the attempts at informal resolution are unsuccessful, the complainant must file a formal complaint within thirty (30) days of the informal conference. Failure to meet these timelines may result in dismissal of the complaint.

The manager involved shall be advised of the nature of the complaint, shall receive a copy of the complaint when applicable, and shall be given every opportunity to explain, comment, and make presentations of the facts as he/she sees them.

Timelines for informal and formal resolution of the complaint are as follows:

- Within five (5) working days of receipt of the complaint by a manager
- Within ten (10) working days of receipt of the Formal Complaint Form

Complaints that are unresolved by the Executive Director of Personnel Support Services or Superintendent/CEO designee may be referred to the Superintendent/CEO.

The Superintendent/CEO shall receive a written report concerning the complaint. Such written report shall include, but not be limited to, the following:

1. Name of the employee involved;
2. A brief but specific summary of the nature of the complaint and the facts surrounding same, sufficient to inform the Superintendent/CEO as to the precise nature of the complaint;
3. A true copy of the signed original of the complaint;
4. A summary of the findings and actions taken in the preceding steps. The Superintendent/CEO may decide whether to hear the complaint in person, to act on the basis of the written report, or to allow the decision of his/her designee or Executive Director of Personnel Support Services to stand.

The Superintendent/CEO shall reply to the complainant(s) within fifteen (15) days of receipt of the written report.

The SIATech Academy South Central Administration Office shall cooperate with the parties involved so as to quickly and easily meet the requirements of these policies and procedures.

C. COMPLAINTS OF DISCRIMINATION

1. Nondiscrimination Philosophy and Policy Statement

SIATech Academy South is an equal opportunity employer and is committed to an active Nondiscrimination Program. It is the stated policy of SIATech Academy South that harassment is prohibited and that all employees and applicants shall receive equal consideration and treatment. All recruitment, hiring, placements, transfers, and promotions will be based on the basis of qualifications of the individual for the positions being filled regardless of **Sex, Sexual Orientation, Race, Color, Ancestry, Religious Creed, National Origin, Physical Disability, Mental Disability, Medical Condition, Age, Marital Status and Denial of Family Care Leave.**

To achieve the goals of our Nondiscrimination Program, it is necessary that each member of SIATech Academy South understand the importance of the program and his or her individual responsibility to contribute toward its maximum fulfillment. Each employee of SIATech Academy South making decisions affecting employment shall fully comply with SIATech Academy South's nondiscrimination policy.

The following procedures shall apply in handling discrimination complaints filed by persons against SIATech Academy South.

2. Definitions

In the implementation of this procedure, the following definitions shall pertain:

1. Complaint – Any allegation by an employee or applicant for employment of a violation, misapplication, or misinterpretation of written SIATech Academy South employment policies and/or procedures resulting in adverse conditions personally affecting the employee, and that such treatment was based on race, ancestry, national origin, color, sex, religion, physical disability, and/or age (over 40). Other employer-employee relations' matters for which a specified method of review is prescribed by law or within a negotiated agreement are not within the scope of this procedure.
2. Complainant – The employee or applicant for employment filing the complaint.
3. Workday - A day when the administration center of SIATech Academy South is open for business.

3. General Provisions

1. All parties need to recognize their mutual responsibilities to secure, at the lowest possible administrative level, prompt and equitable solutions to a complaint and to agree that these proceedings shall be as informal and confidential as possible.
2. A complaint must be initiated within thirty (30) workdays after the alleged age or condition giving rise to the occurrence of the complaint.

3. The administrator will establish a meeting within the limits described in this procedure.
4. All parties involved in allegations of discrimination shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made. The complainant also shall be notified of his/her right to appeal the decision to the next level.
5. When a complaint is brought against the individual responsible for the complaint process at any level, the complainant may address the complaint directly to the next appropriate level.

4. Level I

The complainant will first meet informally with his/her immediate supervisor or site administrator. If the complainant's concerns are not clear or cannot be resolved through informal discussion, the supervisor or site administrator shall prepare, within ten (10) working days, a written summary of his/her meeting(s) with the complainant. This report shall be available when requested by the Executive Director of Personnel Support Services or the Superintendent/CEO.

An applicant for employment shall present his/her complaint at Level II.

5. Level II

If a complaint cannot be satisfactorily resolved at Level I, the complainant shall submit his/her complaint in writing on the SIATech Academy South form designated for complaints regarding discrimination, and present it to the Executive Director of Personnel Support Services, describing specifically the time, place, nature, and participants of the alleged discriminatory acts or policies. The Executive Director of Personnel Support Services or a designee of the Superintendent/CEO shall assist the complainant with this writing if such help is needed. The Executive Director of Personnel Support Services or designee of the Superintendent/CEO will respond to the complainant in writing within fifteen (15) working days.

The Executive Director of Personnel Support Services or the designee of the Superintendent/CEO shall conduct any investigation necessary to respond to the complaint, including discussion with the complainant, person(s) involved, and appropriate staff members, and review of the supervisor/site administrator's report and all other relevant documents. If a response from third parties is necessary, the Executive Director of Personnel Support Services or designee of the Superintendent/CEO may designate up to ten (10) additional working days for investigation of the complaint. With the complainant's consent, an additional period of time may be allowed for resolution of the complaint. Every reasonable effort will be made to resolve the problem in a manner acceptable to all parties. Complaint forms will be available from the Personnel office.

6. Level III

If the problem cannot be resolved at the second level, the complainant shall have the right to present the complaint to the Superintendent/CEO or a designee (different individual from the one referred to in Level II), following the same procedures as in Level II.

7. Level IV

If the matter cannot be resolved at the third level, the complainant may request a hearing before the Board of Directors. Any such request must be made in writing within twenty (20) days after receiving the Superintendent/CEO's or designee's decision. The Board may grant the hearing request for the next regular Board meeting for which it can be placed on the agenda. If the Board elects to hear the case, the Board shall hear all information relevant to the complaint and shall render its decision within fifteen (15) working days.

8. Alternate Steps

The existence of this complaint procedure does not affect the right of any individual or group to file a complaint with the Equal Employment Opportunity Commission (EEOC).

9. Civil Law Remedies

Persons who have filed a complaint with an educational institution are advised that civil law remedies, including, but not limited to, injunctions, restraining orders, or other orders may also be available to them.

The U.S. Department of Education, Office for Civil Rights, enforces compliance with Section 504, the ADA, and Title IX and may be contacted for assistance with compliance relating to these laws and their regulations. The EEOC is an agency that enforces compliance with federal laws and regulations protecting individuals from employment discrimination and may be contacted for assistance with complaints of employment discrimination.

D. COMPLAINTS CONCERNING SPECIAL PROGRAMS AND SERVICES AND ALLEGATIONS OF DISCRIMINATION IN ALL PROGRAMS AND SERVICES

SIATech Academy South recognizes that all programs and services must be administered in full compliance with state and federal laws and regulations governing such program and as applicable to charter schools. These programs and services include:

- Special Education Program
- Career and Technical Education
- Foster and Homeless Youth Services

Additionally, the Board of Directors expects that all SIATech Academy South programs and services shall be free from discrimination with respect to gender, race, color, religion, national origin, ethnic group, marital or parental status, and physical or mental disability.

All complaints alleging violation of state or federal law or regulations governing the programs or services listed above, or complaints of alleged unlawful discrimination brought by students, employees, parents/guardians, or other members of the community will be resolved in a prompt and equitable manner.

SIATech Academy South will investigate and seek to resolve complaints at the local level and will follow Uniform Complaint Procedures when addressing complaints alleging unlawful discrimination or failure to comply with the law in the programs and services listed above.

The Board of Directors prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in complaint procedures. The Board acknowledges and respects students and employee rights to privacy and all complaints shall be investigated in a manner that protects these rights.

- The Superintendent/CEO will designate staff members to receive complaints, investigate complaints and ensure compliance with the state and federal laws and regulations governing the programs listed above. Designated staff members will be responsible for complaint resolution, and will annually notify parents, employees, students, and other interested parties of the Uniform Complaint Procedures, including the opportunity to appeal SIATech Academy South's decision to any civil law remedies that may be available.

1. Uniform Complaint Procedures

Any individual, public agency, or organization may file a written complaint of alleged noncompliance with the office of the Superintendent/CEO. The Superintendent/CEO will forward the complaint to the director of the program or the appropriate administrator. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, SIATech Academy South staff shall help him/her to file the complaint.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination.

Unlawful discrimination is prohibited by the following Federal statutes:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin;

- Title IX of the Educational Amendments of 1972, which prohibits discrimination on the basis of sex in educational programs;
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability;
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age; and
- Title II of the American with Disabilities Act of 1990, which prohibits discrimination on the basis of disability.

Any individual, public agency, or organization may also file a complaint with the applicable official entities.

2. Appropriate Investigation of Complaint

The director or the site administrator shall hold an investigative meeting no later than 10 calendar days of receiving the complaint. This meeting will provide an opportunity for the complainant and/or his/her representative and SIATech Academy South's representatives to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other. To ensure that all pertinent facts are made available, the site administrator and the complainant may ask other individuals to attend this meeting to provide additional information.

3. Written Decision

Within twenty (20) calendar days of receiving the complaint, the appropriate director or administrator shall send to the complainant a written report of SIATech Academy South's investigation and decision, including:

1. The findings and disposition of the complaint, including corrective actions, if any.
2. The rationale for the above disposition.
3. Notice of the complainant's right to appeal the decision to the Superintendent/CEO.

4. Appeal to the Superintendent/CEO

If a complainant is dissatisfied with the director's or site administrator's decision, he/she may, within five (5) calendar days, forward the written complaint to the Superintendent/CEO. Within five calendar days of receiving the complaint, the Superintendent/CEO shall discuss with the complainant the possibility of using mediation or shall attempt to resolve the issue by administrative review. If all parties agree to mediation, the Superintendent/CEO shall make all arrangements for this process.

If the mediation process or the administrative review do not resolve the problem, within ten (10) calendar days, the Superintendent/CEO will send the complainant a written report of the decision, including:

1. The findings and disposition of the complaint, including corrective actions, if any.

2. The rationale for the above disposition.
3. Notice of the complainant's right to appeal the decision to the Board of Directors.

5. Appeal to the Board of Directors

If the mediation process or administrative review does not resolve the problem, the complainant may appeal to the Board of Directors. This complaint shall be forwarded to the Superintendent/CEO within five calendar days after the termination of mediation or administrative review. The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened to meet the sixty (60) calendar day limit with which the complaint must be answered. The Board may decide not to hear the written decision. If the Board hears the complaint, the Superintendent/CEO shall send the Board's decision to the complainant within sixty (60) days of SIATech Academy South's initially receiving the complaint or within an extended time period that has been specified in a written agreement with the complainant.

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