

**Regulation**

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COMMUNITY COMPLAINTS AND INQUIRIES

The Oradell Board of Education welcomes inquiries from parents about and constructive criticism of the district's programs, equipment, operations and personnel. Any parent or guardian of a student in the Oradell Public Schools shall have the right to present a request, suggestion or complaint on any matter directly affecting the student or the complainant, in accordance with the following procedures:

- A. Any such matter shall first be communicated to the staff member most directly involved, i.e., the teacher, administrator or other staff member whose action or inaction gave rise to the complaint. The staff member shall promptly respond to the complaint and shall schedule a conference with the complainant if necessary;
- B. If the complainant is not satisfied with the staff member's response, he/she shall have the right to bring the matter to the principal (if the complaint arises from the action or inaction of the principal, this step may be omitted). The complaint may be presented to the principal either orally or in writing (email or paper hard copy). The principal shall:
  - 1. Notify the employee or employees who may be the subject of the complaint within five (5) days of its receipt;
  - 2. Meet with and/or consult with any person who may have information relevant to the complaint;
  - 3. Attempt to resolve the matter of the complaint amicably. If that is not possible, the principal shall make a decision on the complaint within ten (10) days.
- C. If extenuating circumstances exist that prevent a decision within 10 days, the principal, with consent from the chief school administrator, may be granted an additional 10 days to render a written decision to the complainant. The principal's response shall be in writing for all complaints received in writing. The response shall also be made in writing if it involves disciplinary action against any employee;
- D. If the complainant is not satisfied with the principal's handling of the matter, he/she shall have the right to appeal the matter to the chief school administrator of Schools. That appeal shall be made in writing (paper hard copy only) and shall include the following information:
  - 1. The specific nature of the matter, including the name(s) of any employee or employees who may be the subject of the complaint;
  - 2. The steps that have been taken to resolve it;
  - 3. The relief requested; and
  - 4. The reason or reasons why the relief should be granted.
- E. The chief school administrator shall meet and/or consult with any person who may have information relevant to the complaint. Since the complaint may result in disciplinary action and/or negative evaluative comments for the staff member who is the subject of the complaint, the chief school administrator shall meet with the staff member within five (5) days of the receipt of the appeal to advise him/her of the nature of the complaint. The staff member shall have an opportunity to respond to the complaint;
- F. The chief school administrator shall meet with the complainant to discuss the matter and provide a response. The chief school administrator's response shall also be made in writing;
- G. If the complainant is not satisfied with the chief school administrator's response, he/she shall have the right to appeal the matter to the board of education. any appeal to the board shall be in writing (paper hard copy only) and shall be submitted to the board secretary/business administrator for distribution to the board within thirty (30) days of the chief school administrator's decision. Upon receipt of any such appeal, the board secretary shall also notify the chief school administrator, who shall provide each

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member of the board with full documentation on the matter, including:

1. The full name of each employee involved;
  2. A summary of the complaint and the facts surrounding it;
  3. A summary of the specific findings made by the chief school administrator or designee;
  4. A summary of the action taken by the chief school administrator or designee;
  5. A copy of the signed original complaint;
  6. A copy of the signed original response or responses.
- H. Following a preliminary review of the appeal, the board shall decide whether it wishes to conduct a hearing in the case or to decide it on the written record. If a hearing is to be held, the chief school administrator shall make available any staff member who, either in his judgment or the judgment of the board, may have relevant information on the matter. All board level hearings shall be held in closed session; provided, however, that any complainant shall be entitled to attend the hearing. The board's decision on the appeal shall be communicated in writing to the complainant;
- I. Nothing in this complaint procedure shall relieve any staff member of the obligation to report complaints to the appropriate authorities where such reporting is required by law;
- J. The rights of students and parents and the rights of staff members shall be observed at all times in the administration of this complaint procedure;
- K. This policy shall be posted on the school district's web site, shall be published in the student handbook each year. In addition, the school principal shall provide a copy of the complaint procedure to any parent or community member who brings a complaint to the principal's level;
- L. In order to protect the privacy rights of students and staff, all complaints submitted pursuant to this policy shall be considered confidential material and shall not be made public. A parent or guardian who wishes to have his/her complaint made public can do so by submitting a written waiver of the student's privacy rights to the business administrator/board secretary. However, if the complaint concerns the performance of one or more staff members, it shall not be made public unless each and every staff member whose performance is the subject of the complaint gives a written waiver of his/her privacy rights to the business administrator/board secretary;
- M. Complaint records shall be retained according to law and board policy 3570 District Records. Complaints which become part of a student's official record and/or part of an employee's personnel file shall be preserved in accordance with the applicable statutes and regulations governing pupil and employee records. All other complaint records, including written complaints, findings, and dispositions, shall be maintained on file in the main office for a period of seven (7) years from the date of the final resolution of the complaint or until the employee or student leaves the district, whichever occurs later;
- N. The chief school administrator shall provide the board with a quarterly written report summarizing the complaints received and responses given by his office pursuant to this policy. The report shall include the number of complaints by general subject area and the number of complaints resolved and unresolved in each category. These reports shall not include any details that might prejudice the privacy rights of students or staff. The summary reports shall be publicly reported at a regularly scheduled board meeting.

*Note: The board shall hear as required by law any appeals made to the board for short and long term suspension, mandatory removal of students (drug/alcohol possession and weapons) and harassment, intimidation and bullying.*

Adopted: April 11, 2007  
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