

Fiddlehead School of Arts and Science

Complaint Policy – Administrative Procedure

OVERVIEW

As referenced in the Complaint Policy, the following Administrative Procedure provides a path for resolving student, parent, and staff complaints.

LEVEL 1 – INFORMAL

In the vast majority of cases a problem can and should be resolved by contacting the individual directly involved with the problem. The initial communication may be by letter, telephone conversation or in person. Where this action does not lead to the problem being resolved then the complaint should be dealt with through the formal stages of this procedure

LEVEL 2 – FORMAL

If the complainant is not satisfied with the response from the individual involved with the problem at Level 1 or if the complaint is of a serious nature and not covered by FSAS policies, the complainant is advised to put their complaint in writing to Fiddlehead Executive Director. The complainant is required to complete a Level 2 Complaint Procedure Form which includes details that will assist the investigation e.g., such as witnesses, dates and times of events, copies of relevant documents, etc.

The Executive Director (or designee if the complaint is against the Executive Director) will be responsible for conducting an investigation within five (5) school days. The investigation may include interviews with the complainant and individuals involved in or having knowledge of the complaint in order to understand the full nature of the complaint.

At the conclusion of the investigation the Executive Director will compile a report detailing their findings and any recommendations or actions which will resolve the complaint. The Executive Director will meet with the complainant to review the findings and actions that will be taken as a result of the complaint except where this would be a breach confidentiality e.g., taking any formal action against individual members of staff which would remain confidential.

The outcome of the investigation would usually be one of the following but not limited to:

- The evidence indicates that the complaint was substantiated and therefore upheld;
- The complaint was substantiated in part and the part upheld and identified only is upheld;
- There is insufficient evidence to reach a conclusion, so the complaint is inconclusive and not proven.
- The complaint is not substantiated by the evidence and therefore not upheld;

LEVEL 3 BOARD REVIEW

If the complaint has not been settled at the formal stage and the person making the complaint is not satisfied with the outcome at Level 2 or the way it was dealt with, they can ask for the process to be reviewed by Fiddlehead's Board of Directors.

The complainant will be asked to complete a written statement specifying reasons for the request for the Board Review and any perceived failures arising from the investigation process followed.

The Board Review purpose is to review (not to re-investigate) the original complaint and the school's response to it, including its investigation and the outcome. The Review Panel's role is not to undertake a re-investigation of the case, nor to extend its reference beyond the above matters.

The role of the Level 3 Review Panel is to review the actions and supporting evidence of the Level 2 investigation. The Board Review is not permitted to do the following:

- To re-investigate the complaint;
- to reach a definite view on a point of law;
- to criticize the complainant for any "contributory negligence" that may have contributed to the difficulties;
- to be an alternative to a disciplinary hearing, as far as staff are concerned;
- To hear any new complaints (except if it relates to the length of time taken to deal with the substantive complaint)

The Board Review will normally be conducted through consideration of written evidence, but any requests received to make an oral representation will be considered.

The Board Review will review complainant's written statement and if needed request that the complainant submit in writing within five (5) school days any further information needed by them relating to their reasons for requesting a review and any perceived failures arising from the investigation process followed.

The Board Review will communicate its findings to the complainant within ten (10) school days of receipt of the complainant's letter requesting a review.

LEVEL 4

If the complainant is not satisfied with the findings of the Board Review, they should be informed that they can appeal to the Maine Charter School Commission, or any other relevant body appointed to hear complaints against schools.

Adopted: February 9, 2023