

*The purpose of this policy is to guide parents and students through the complaint process. This policy does not replace the ACA Sexual Harassment Policy.*

### **Guiding Principles**

The Board encourages students and parents to discuss their concerns and complaints through informal meetings with the appropriate teacher, School Leader, or Executive Director. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

If an informal meeting regarding a complaint fails to reach the outcome requested by the student, parent/guardian, or adult advocate, the formal process described below may be initiated.

Even after initiating the formal complaint process, students, parents/guardians, and adult advocates are encouraged to seek informal resolution of their concerns. A complainant whose concerns are resolved may withdraw a formal complaint at any time.

Neither the Board nor any employee shall unlawfully retaliate against any complainant for bringing a concern or complaint.

### **General Provisions**

#### **Filing**

Complaint forms and appeal notices may be filed by hand-delivery or U.S. Mail to:

**MC2 Charter School  
310 Marlboro St. #115  
Keene, NH 03431**

#### **Response**

At Levels One and Two, “response” shall mean a written communication to the complainant from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the complainant’s mailing address of record.

#### **Days**

“Days” shall mean business days. In calculating timelines under this policy, the day a document is filed is “day zero.” The following business day is “day one.”

#### **Representative**

“Representative” shall mean any person or organization that is designated by the complainant(s) to represent the complainant(s) in the complaint process. A student may be represented by an adult at any level of the complaint.

The complainant(s) may designate a representative through written notice to the Board at any level of this process. If the complainant(s) designates a representative with fewer than three days’ notice to the Board before a scheduled meeting or hearing, the Board may reschedule the meeting or hearing to a later date, if desired, in order to include the Board’s counsel. The Board may be represented by counsel at any level of the process.

### **Consolidating Complaints**

Complaints arising out of an event or a series of related events shall be addressed in one complaint. A complainant(s) shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

### **Untimely Filings**

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the parent, at any point during the complaint process. The complainant(s) may appeal the dismissal by seeking review in writing within ten (10) days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

### **Costs Incurred**

If there are costs incurred in the course of the complaint, each party shall pay their own expenses.

### **Complaint Form**

Complaints under this policy shall be submitted in writing on the form available online or in the MC<sup>2</sup> office.

Copies of any documents that support the complaint should be attached to the complaint form. If the complainant(s) do(es) not have copies of these documents, copies may be presented at the Level One meeting, upon request.

A complaint form that is incomplete in any material aspect may be dismissed but may be re-filed with all the required information if the re-filing is within the designated time for filing a complaint.

### **Audio/Video Recording**

Level One and Level Two complaints may be recorded with written consent. Level Three complaints will be recorded.

### **Conflict Resolution Team (CRT)**

The CRT will be comprised of no more than 1/3 of the Board of Trustees with terms not exceeding two (2) years for Board members, with the exception of the Executive Director.

### Level One Complaint

If an informal meeting regarding a complaint fails to resolve concerns, the complainant(s) may initiate the formal process described below.

Complaint forms must be filed:

- Within ten (10) business days of the date the student, parent/guardian, or adult advocate first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint; and
- With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, the complainant(s) shall file Level One complaints with the Executive Director or designee.

If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form is received and immediately forward the complaint form to the appropriate administrator.

The appropriate administrator shall investigate as necessary and hold a meeting with the complainant(s) within ten (10) business days after receipt of the written complaint. The administrator may set reasonable time limits for the meeting.

The administrator shall provide the complainant(s) a written response within ten (10) business days following the meeting. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One meeting and any other relevant documents or information the administrator believes will help resolve the complaint.

### Level Two Complaint

If the complainant(s) is(are) not satisfied with the resolution at Level One or if the time for a response has expired, the complainant(s) may request a meeting with the Conflict Resolution Team to appeal the Level One decision.

The appeal notice must be filed in writing, on the form provided under this policy, within ten (10) business days of the date of the written Level One response or, if no response was received, within ten (10) business days of the Level One response deadline.

After receiving notice of the appeal, the Executive Director or designee shall prepare and forward a record of the Level One complaint to the Conflict Resolution Team. The complainant(s) may request a copy of the Level One record.

The Level One record shall include:

- The original complaint form and any attachments.
- All other documents submitted by the involved parties at Level One.
- The written response issued at Level One and any attachments.

- All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Conflict Resolution Team shall hold a meeting within ten (10) business days after the appeal notice is filed. The meeting shall be limited to the issues presented by the complainant(s) at Level One and identified in the Level Two appeal notice. At the meeting, the involved parties may provide information concerning any documents or information relied upon by the Executive Director or designee for the Level One decision. The Conflict Resolution Team may set reasonable time limits for the meeting.

The Conflict Resolution Team shall provide the complainant(s) a written response within ten business days following the meeting. The written response shall set forth the basis of the decision. In reaching a decision, the Conflict Resolution Team may consider the Level One record, information provided at the Level Two meeting, and any other relevant documents or information the Conflict Resolution Team believes will help resolve the complaint.

Recordings of the Level One and Level Two meetings, if any, shall be maintained with the Level One and Level Two records.

### Level Three Complaint

If the complainant(s) is(are) not satisfied with the resolution requested at Level Two, or if the time for a response has expired, the complainant(s) may appeal the decision to the Board. The appeal notice must be filed in writing, on the form provided under this policy, within ten (10) business days of the date of the written Level Two response.

The Board or designee of the Board, shall inform the complainant(s) of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Level Three record shall include the following:

- The Level One and Level Two records.
- The notice of appeal from Level Two to Level Three.
- The written response issued at Level Two and any attachments.
- All other documents relied upon by the Conflict Resolution Team in reaching the Level Two decision.

If at the Level Three hearing the Board intends to rely on evidence not included in the Level Two record, the Board shall provide the complainant(s) notice of the nature of the evidence at least three (3) days before the hearing.

The Board shall determine whether the complaint will be presented in an open or closed meeting.

The Board may set reasonable time limits, and guidelines for the presentation, including an opportunity for the involved parties and CRT to each make a presentation and provide rebuttal and an opportunity for questioning of the involved parties by the Board. The Board shall hear the complaint and may request that the CRT provide an explanation for the decisions at the preceding levels.

In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the involved parties, any presentation from the CRT, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time, up to and including the next regularly scheduled Board meeting, provided the next meeting is at least ten (10) business days following the meeting. If the next meeting is fewer than ten (10) business days, the Board has until the subsequent meeting to make a decision. The decision of the Board shall be final.

Date Adopted: April 6, 2015

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Last Review Date: