**Qingdao No. 58 High School Faculty Complaints Regulation**

According to the Education Law of the People's Republic of China and Pedagogic Law of the People's Republic of China and other laws and regulations about the provisions to protect the lawful rights and interests of teachers, combined with the actual conditions of our university education administrative law enforcement, this regulation is to protect the legitimate rights and interests of teachers.

1. **Complainant and Respondent**
1. The Complaint is against the school in-service teachers, staff, workers or retired teacher.
2. The respondent is mainly, the school office, student administration office and general service office or other relevant offices.
2. **Scope of Appeal**
1. Regard schools and its relevant departments as the ones infringing on lawful rights and interests of teachers;
2. Not satisfied with the relevant departments handling decision.

**C. Accepting Institution**

1. Establish a grievance committee on campus which consists of appointed representatives from general party branch, the principal's office, work unions, youth committee, and women right committee. The grievance committee is the decision-making body of school to deal with the school teacher appeals, and its members can accept written appeal put forward by the complaints.
2. The appeals committee consists of teacher appeal offices, which could accept the teachers' appeal in writing or oral complaint.
3. Thegrievance committee and school appeal offices belong to school as well.

**D. Grievance procedures**

1. This is the **appeal**. The complainant can put forward written complaint as well as oral complaint.
(1) Things shall be stated on the written complaint: the basic information of the complaints (the information of an entrusted agency shall be provided if any), the basic information of the respondent, appeal request, reason, time for appeal, and other relevant information.
 If it’s an oral complaint, the office shall record the basic information of complaint, complaint facts, reasons and time, etc.

2. Review
Appeal office shall start the review and investigation after receiving a complaint within 5 days, shall accept the application if reasonable and notify the complaint and respondent in a written form. If the complaints are out of school’s jurisdiction, complaint office is supposed to transfer the appeal to the relevant offices and inform complaint accordingly.

3. Investigation and evidence
(1) school complaint office will set up an investigation group of three or more persons to investigate and verify the appeal and make written records after receiving teacher appeal materials.
(2) If within the school’s responsibilities, school complaints office should obtain evidence materials on the basis of further investigation, and then hold hearing for complaints and school complaints committee to further verify the cause of the appeal.
(3) Record of the hearing process and investigation should be well-kept after signed by the complaints and respondents.

4. The decision
Within 30 days after acceptance of the appeal, on the basis of comprehensive investigation to verify, must have the wrong shall rectify, safeguard the correct implementation of laws and regulations, treatment Suggestions are put forward. After the campus complaints commission collective discussion and decision, according to the different situation, in accordance with the law to make the following decision:
(1) to maintain the original decision;
(2) to make changes to the original decision;
(3) revoke the original decision;
(4) to make new different decisions;
(5) to set a deadline for respondent to perform if there’s still obligation to fulfill

**E. Others**
1. The complaints could still make an appeal to the upper education administrative department if he/she disagrees with the decision of school’s complaint committee. The complaint could resort to administrative reconsideration and administrative litigation if the part that complaint disagrees with but complies with administrative reconsideration and administrative litigation.

2. Before school makes the final decisions, complaints could still withdrawal appeals and complaints if they have reasonable reason to do that.

3. Is the respondent fails to perform or delay their duty without any reasons, or take any revenge. He or she shall be given administrative sanctions by law; if any damage, the compensation needs to be made; If any crime, he or she shall be published by law.

1. If a teacher is infringed upon the lawful rights and interests, or is not satisfied with the school’s handling decisions, he or she could appeal to the higher education administrative departments. If teachers think the local people's government infringed on lawful rights and interests, he or she could lodge a complaint.

5. This appeal system will be regarded as part of the school regulation and rules and shall be executed after approved by the school faculty meeting.

青岛五十八中教职工申诉制度

根据《中华人民共和国教育法》和《中华人民共和国教师法》等法规关于保护教师合法权益的规定，结合我校教育行政执法的实际，为维护广大教师的合法权益，制定本制度。

**一、申诉人、被申诉人**

1．校内教师申诉人是学校在职及退休的教师、职员、工人。

2．校内教师申诉的被申诉人主要是学校所设的办公室、教务处、学生处及总务处等有关职能机构。

**二、申诉范围**

1．认为学校及其有关部门侵犯《教师法》规定的教师合法权益的；

2．对有关部门做出的处理决定不服的。

**三、受理机构**

1．学校建立校内申诉委员会，由党总支、校长室、工会、团委、妇委会等组织委派代表组成，是学校处理校内教师申诉的决策机构，其成员可接受申诉人提出的书面申诉。

2．校内申诉委员会下设教师申诉办公室，作为申诉委员会的职能部门负责受理教师书面申诉或口头申诉。

3．申诉受理机构是学校管理机构。

**四、申诉程序**

1．申诉。申诉人可以书面提出申诉，也可以口头提出申诉。

⑴ 书面提出申请应当说明：申诉人的基本情况（有委托代理的，应当写明代理人的有关情况）；被申诉人的基本情况；申诉要求；申诉理由；提出申诉时间；其他相关情况。

⑵ 口头提出申诉的，受理机构应当记录申诉人的基本情况，申诉的主要事实、理由和时间等。

2．审查受理

教师申诉办公室在接到申诉后，应当在5日内进行审查，对符合申诉条件的，应当受理，并书面告知申诉人和被申诉人；对不属于学校及其有关部门管辖范围的申诉事项，负责移送有管辖权的机关申诉，并及时告知申诉人。

3．调查取证

⑴ 学校申诉办公室接到教师申诉材料后，成立三人以上的调查组，对申诉的内容进行调查核实，并作笔录。

⑵ 属校内申诉办公室受理的申诉案件，要在深入调查的基础上，取得佐证材料，然后召开由校内申诉委员会以及申诉对象等各方面人员参加的听证会，进一步核实案由。

⑶ 调查、听证过程的笔录以及听证材料的记录，由当事人签字后存入档案。

4．处理决定

学校在受理教师申诉书30日内。在对申诉事项进行全面调查核实的基础上，须有错必纠，保障法律、法规的正确实施，提出处理意见。经校内申诉委员会集体讨论决定后，根据不同情况，依法做出以下处理决定：

⑴ 维持原处理决定；

⑵ 变更原处理决定；

⑶ 撤销原处理决定；

⑷ 责令被申诉人重新做出处理决定；

⑸ 被申诉人负有履行义务的，责令其限期履行。

**五、其他**

1．申诉当事人对学校申诉处理决定不服的，可以向上级教育行政部门申请复核。申诉人对申诉处理决定不服的事项符合行政复议、行政诉讼受理条件的，可以依法申请行政复议或者提起行政诉讼。

2．要坚持校内申诉与沟通思想、说服教育、调解等形式相结合，在学校做出申诉处理决定前，申诉要求撤回申诉的，经说明理由，可以撤回。

3．被申诉人不履行或者无正当理由拖延履行申诉处理决定的，或者报复负责的主管人员和其他责任人员的依法给予行政处分；造成申诉人财产损失的，依法给予赔偿；构成犯罪的，依法追究刑事责任。

4．教师对学校侵犯合法权益的，或者对学校做出的处理不服的，可以向上级教育行政部门提出申诉。教师认为当地人民政府有关行政部门侵犯其合法权益的，可以向同级人民政府或者上一级人民政府有关部门提出申诉。

5．此申诉制度作为学校《章程》附件，经学校教职工大会通过后执行。