

Complaints Concerning District Employees

The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4144/4244/4344 - Complaints)

To promote prompt and fair resolution of a complaint against an employee, the following procedures shall govern:

1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.
2. If a complainant is unable or unwilling to resolve the complaint directly with the employee, the complainant may submit a written complaint to the employee's immediate supervisor or the principal, with a copy to the Director of Human Resources.
3. All complaints related to district personnel other than administrators shall be submitted in writing to the principal or immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall provide help. Complaints related to a principal or central office administrator shall be initially filed in writing with the Superintendent or designee. Complaints related to the Superintendent shall be initially filed in writing with the Governing Board.
4. A written complaint shall include:
 - a. The full name of each employee involved;
 - b. A brief but specific summary of the complaint and the facts surrounding it; and
 - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.
5. If the complaint is referred to and is not resolved at the school site or department level, as the case may be, the Superintendent or designee shall conduct an investigation which may include a conference with the complainant, the employee, and the employee's supervisor(s). The Superintendent or designee shall attempt to complete the investigation within 30 working days.

Within 20 working days thereafter, the Superintendent or designee shall render a decision concerning the merits of the complaint and the requested remedy, which shall be in writing, and served on both the complainant and the employee. The Superintendent or designee's decision shall be final, subject to any applicable provisions of existing collective bargaining agreements.

6. Before any Board consideration of a complaint, the Superintendent or designee shall submit to the Board a written report concerning the complaint, including but not limited to:
 - a. The full name of each employee involved
 - b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a response
 - c. A copy of the signed original complaint

Complaints Concerning District Employees

Complaints Concerning District Employees (continued)

- d. A summary of the action taken by the Superintendent or designee, together with his/her specific finding that the problem has not been resolved and the reasons
7. The Board may uphold the Superintendent's decision without hearing the complaint.
8. All parties to a complaint may be asked to attend a Board meeting in order to clarify the issue and present all available evidence.
9. A closed session may be held to hear the complaint in accordance with law.