

Policy 1312.1

Community Relations

Procedure for Processing Complaints Against District Employee

1. The appropriate processing of complaints concerning employees shall be from the complainant to the employee to the Principal or Immediate Supervisor to the Superintendent to the Governing Board. This complaint procedure only applies to written complaints. If the administrator receives an oral complaint, the administrator may exercise his or her discretion whether or not to direct the complainant to meet with the employee to discuss the complaint. Complaints presented to the Board of Trustees must be submitted in writing.
2. Upon receipt of a written complaint the Principal or Immediate Supervisor shall direct the complainant to meet with the employee if they have not already met and shall give a copy of the written complaint to the unit member in accordance with the collective bargaining unit contract. Efforts shall be made to achieve early resolution of the complaint. The complainant may decline to meet with the employee. The employee may decline to meet with the complainant.
3. The employee may be represented at the meeting, upon the request of the employee. A district representative may also be present at the meeting.
4. If the complaint is not resolved between the complainant and the employee or if either one of them refuses to meet then the Principal shall meet with the parties and attempt to resolve the complaint.
5. If the complaint is not resolved at the Principal's level, then, if the complainant desires to have the complaint heard by the Superintendent, he/she shall so advise the Superintendent in writing and the Superintendent shall meet with the parties and attempt to resolve the complaint.
6. If the complaint is not resolved at the Superintendent's level, then, if the complainant desires to have the complaint heard by the Board of Trustees, he/she shall so advise the Superintendent in writing and the Superintendent shall provide a copy of the written complaint to the board of Trustees.
7. The employee shall be given notification of the time, date, and place of any Board of Trustees meeting at which the Board of Trustees will hear the complaint. The complaint shall be heard at the next regularly scheduled Board of Trustees meeting or within 45 days, as convenient for the Board of Trustees. The employee and the complainant shall have the right to be represented at the board meeting.

8. If the employee challenges the truth of the allegations contained in the complaint, he/she may file a rebuttal on that basis.
9. The written complaint shall not be placed in the personnel file if it is withdrawn, resolved in favor of the employee, or determined to be false.
10. Complaints against an administrator or supervisor shall be filed with the Superintendent who shall follow the above procedures where applicable.
11. Complaints against the Superintendent shall be filed with the President of the Board of Trustees.
12. In all cases, except complaints involving the Superintendent, if the complaint is not resolved and is heard by the Board of Trustees then the Superintendent shall present a report to the Board of Trustees, at least five days prior to the board meeting, which shall include the following items:
 - a. A copy of the complaint
 - b. A copy of the response, if any, of the employee
 - c. A summary of the Superintendent's investigation of the complaint including findings of fact thereon
 - d. A determination of the validity of the complaint
 - e. A recommendation for resolution of the complaint if it is determined by the Superintendent to be valid.
13. Complaints against the Superintendent shall be investigated as determined by the Board of Trustees
14. The provisions of paragraphs 7, 8, 9 and 11 above shall apply to a written complaint against the Superintendent. The Board shall prepare or arrange to be prepared all the information referenced in paragraph 12 if a complaint is filed against the Superintendent. The Board shall hear all written complaints against the Superintendent
15. After the meeting at which the Board of Trustees hears the complaint, the Board shall prepare a written decision regarding the complaint and provide a copy thereof to the employee and the complainant.

Board adopted: 1/4/06

COMPLAINT FORM

DATE _____

COMPLAINANT _____

ADDRESS _____

TELEPHONE _____

DATE(S) OF INCIDENT(S) _____

IF APPLICABLE, NAME OF EMPLOYEE(S) INVOLVED _____

Complaint: Briefly summarize the complaint giving names and any details that will help the District understand the circumstances. Additional pages may be used if more space is required.

If the complaint is against an employee, describe any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.

Recommend action: How would you like this matter to be resolved?

Signature of Complainant _____

Return this form to the Superintendent