

COMPLAINTS

- A. In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints against district employees.
1. Every effort should be made to resolve a concern or complaint at the earliest possible stage. Concerns or complaints regarding school personnel are to be made directly by the complainant to the person against whom the complaint is made within 20 work days from the time of the incident. Parents/guardians are required to orally address concerns with the staff member personally in a meeting or conference with the staff member.
 2. If the complaint or concern is not resolved at the first staff member and parent/guardian contact (above), a conference shall be called. Either the parent/guardian or staff member may request the presence of the District Administrator at the conference. However, if the complainant has not addressed the unit member, then the complainant will be directed by the Administrator to do so, before discussing the situation with the complainant.
 3. If the complainant disagrees with the outcome of the conference, the case can be appealed to the Board of Trustees in writing.
 4. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to a Board member or the Superintendent shall be initially filed in writing with the Board.
 5. A written complaint must include:
 - a. The name of each employee involved.
 - b. A brief but specific summary of the complaint and the facts surrounding it.
 - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.
 6. The person responsible for investigating complaints will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days.
 7. The complainant may appeal a decision by the principal or immediate supervisor to the Superintendent or designee, who will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days. Complainants should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board regarding the complaint.
 8. 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 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 employee(s) as to the precise nature of the complaint and allow the employee(s) to prepare a defense.
 - c. A copy of the signed original complaint.
 - 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.
9. The Board may uphold the Superintendents decision without hearing the complaint.
 10. All parties to a complaint may be asked to attend a Board meeting in order to present all available evidence and allow every opportunity for explaining and clarifying the issue.
 11. Before the Board holds a closed session to hear complaints or charges brought against an employee, the employee shall receive written notice of his/her right to have the complaints or charges heard in open session rather than closed session. This notice shall be delivered personally or by mail at least 24 hours before the time of the session, and the employee may request that the complaints or charges be heard in open session.
 12. Complaints shall be addressed in open session unless a closed is warranted pursuant to Education Code 35146 or 48918 or Government Code 54957 or 54957.6.
13. Any decision of the Board shall be final.