

Personnel

## **EMPLOYEE COMPLAINTS**

The following guidelines shall prescribe the manner in which complaints are handled:

1. A "complaint" shall be defined as an alleged misapplication of the district's policies, regulations, rules or procedures. Procedures for the resolution of employee complaints provide a route of appeal through administrative channels and to the Governing Board, if necessary. If the complaint is related to discrimination, the district's procedure for complaints concerning discrimination should be used.
2. If a complaint involves sexual harassment, the initial complaint should be made directly to the offending employee's immediate supervisor. An employee is not required to resolve sexual harassment complaints with the offending person.
3. So as not to interfere with school schedules, meetings related to a complaint shall be held before or after the complainant's regular working hours.
4. All matters related to a complaint shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint.
5. All documents, communications and records dealing with the complaint shall be placed in a district complaint file. No such material shall be placed in an employee's personnel file.
6. No reprisals shall be taken against any participant in a complaint procedure by reason of such participation.
7. Time limits specified in these procedures may be reduced or extended in any specific instance by written mutual agreement of the parties involved. If specified or adjusted time limits expire, the complaint may proceed to the next step.
8. Any complaint not taken to the next step within prescribed time limits shall be considered settled on the basis of the answer given at the preceding step.

### **INFORMAL COMPLAINTS**

Employees are encouraged to resolve complaints informally. Formal complaint procedures shall not be initiated unless informal efforts to resolve the complaint have been exhausted and the complainant has provided a written description of such efforts.

### **FORMAL COMPLAINT PROCEDURE - STEP 1**

If a complaint has not been satisfactorily resolved by informal procedures, the complainant may file a written complaint with the immediate supervisor or principal within 60 days of the act or event which is the subject of the complaint.

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 including the date and time of the incident
- c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter
- d. Specific remedy being sought

Within five working days of receiving the complaint, the immediate supervisor or principal shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

The immediate supervisor or principal shall present all concerned parties with a written answer to the complaint within ten working days after the meeting.

#### **FORMAL COMPLAINT PROCEDURE - STEP 2**

If a complaint has not been satisfactorily resolved at Step 1, the complainant may file the written complaint with the Director of Human Resources within five working days of receiving the answer at Step 1. All information presented at Step 1 shall be included with the complaint, and the immediate supervisor or principal shall submit to the Director of Human Resources a report describing attempts to resolve the complaint at Step 1.

Within five working days of receiving the complaint, the Director of Human Resources shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

The Director of Human Resources shall present all concerned parties with a written answer to the complaint within ten working days after the meeting.

#### **FORMAL COMPLAINT PROCEDURE - STEP 3**

If the complainant is not satisfied with the results of the Director of Human Resources' efforts, the matter may be submitted to the Superintendent. All appeals to the Superintendent must include, in writing, a complete account of the circumstances giving rise to the complaint and the specific remedy being sought.

#### **FORMAL COMPLAINT PROCEDURE - STEP 4**

If a complaint has not been satisfactorily resolved with the Superintendent, the complainant may file a written appeal to the Board within five working days of receiving the answer at Step 3. All information presented at Steps 1, 2 and 3 shall be included with the appeal, and the Superintendent or designee shall submit to the Board a report describing attempts to resolve the complaint at Step 3.

An appeal hearing shall be held at the next regularly scheduled Board meeting which falls at least 12 days after the appeal is filed. This hearing shall be held in closed session if the complaint relates to matters properly addressed in closed session.

The Board shall make its decision within 30 days of the hearing and shall mail its decision to all concerned parties. The Board's decision shall be final.

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