

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

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

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 complaint at the earliest possible stage. Whenever possible, complaints concerning school personnel should be made directly by the complainant to the person against whom the complaint is made. Parents/guardians are encouraged to attempt to orally resolve concerns with the staff member personally.
2. If a complainant is unable or unwilling to resolve the complaint directly with the person involved, he/she may submit a written complaint to the employee's immediate supervisor or the principal.
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 help him/her to do so. Complaints related to a principal or central office administrator shall be initially filed in writing with the Assistant Superintendent, Human Resources or designee who will determine an appropriate investigator. Complaints related to a Board member or to the Superintendent shall be initially filed in writing with the Board.
4. A written complaint shall 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 attempts to discuss the complaint with the employee and the failure to resolve the matter.
5. The person responsible for investigating complaints will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days. This shall be in writing and forwarded to Human Resources to be kept in a separate file.
6. The complainant may appeal a decision by the principal or immediate supervisor to Assistant Superintendent, Human Resources or designee, who will either distribute the complaint to the proper person or will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days. Complainants should consider and accept the decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board regarding the complaint.

7. At any complaint investigation meeting scheduled by an administrator with an employee, where the complaint may result in disciplinary action of the employee, the employee may request the presence of a labor association representative.
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 to 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 Superintendent's 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. Complaints concerning Board members shall be addressed in open session unless a closed session is warranted pursuant to Education Code 35146 or 48918 or Government Code 54957 or 54957.6. (Government Code 54957)
12. Any decision of the Board shall be final.

ADOPTED: 6-5-01

DISTRICT SUPERINTENDENT

PLEASANTON UNIFIED SCHOOL DISTRICT

PLEASANTON, CALIFORNIA