

**Complaints**

**Complaint Procedures – Certificated/Classified Employees (Non-Bargaining Unit)**

This Administrative Regulation applies to all employees not covered by complaint procedures in the bargaining unit contracts.

1. Procedure

- 1.1 A parent or guardian of a pupil, or any person who makes a complaint to the District concerning an employee, shall be encouraged to meet with that employee. The site administrator will make this complaint known to the employee within one working day, and the name of the complainant shall be known to the employee.
- 1.2 If a meeting between the employee and the complainant is not feasible, the employee will meet with the site administrator and develop a plan to meet with the complainant.
- 1.3 If no plan can be developed, the complainant will meet with the site administrator and the complaint will be put in writing by the complainant. A copy of the complaint is given to the employee who may respond in writing.
- 1.4 If the complainant declines to make a written statement, the responsible administrator shall reduce the charge to writing if it is deemed serious enough to pursue.
- 1.5 If the complaint is not resolved at the site administrator level, the complainant or the employee may go to the Superintendent and repeat the procedure.
- 1.6 Any Board member or District staff member receiving a complaint will refer the complainant directly to the appropriate site administrator.
- 1.7 If the site administrator and/or the Superintendent supports the complaint and the employee believes the complaint is false, the employee may follow procedures for settling disputes available to him/her in his/her respective contract.

2. Notice to Employee

- 2.1 Unless the charge is of a criminal nature, the employee shall be informed by the responsible administrator within one working day. The employee shall be given a copy of the writing prepared pursuant to Section 1.1 within one working day of its preparation.
- 2.2 If the nature of the charge is of a criminal nature which suggests that there should be some preliminary investigation before informing the employee, such investigation shall be done as quickly as possible.
- 2.3 If the nature of the charges is such that it warrants referral to an outside agency for investigation and consideration of criminal action, then any of the foregoing steps shall be waived or deferred upon request of the agency investigating for criminal prosecution.

3. Representation

- 3.1 At any conference in this process conducted by the employing agency, the employee, upon request, is entitled to be represented by someone of his/her choosing.

4. Personnel

- 4.1 If the foregoing steps do not effect a resolution of the complaint, then the writing developed through Section 1.1 shall be placed in the employee's personnel file after the employee has been given an opportunity to prepare and have attached a written rebuttal. If the complaint is withdrawn or shown to be false, or the above procedure is not followed, no written record will be placed in the employee's personnel file, or be maintained anywhere in the District or utilized in any evaluation or disciplinary action against the employee.