

Community Relations

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures. To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against district employees:

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4144/4244/4344 - Complaints)

Procedures for Level 1 Complaints

The Governing Board encourages the early, informal resolution of complaints at the site level whenever possible. A complainant should communicate directly to the employee in order to resolve concerns. If necessary, the site supervisor or designee can assist in resolving an issue.

Procedures for Level 2 Complaints

If a complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may submit an oral or written complaint to the employee's immediate supervisor or the principal. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 15 calendar days.

Complaints related to district personnel, other than administrators, shall initially be made to the principal or immediate supervisor. Complaints related to a principal or central office administrator shall initially be made to the Superintendent or designee. Complaints related to the Superintendent shall be filed in writing with the Board.

Procedures for Level 3 (Formal) Complaints

At times, situations may arise in which a person feels compelled to file a formal complaint regarding a specific situation or employee. In that case, he/she may submit the formal complaint in writing to the district's compliance officer (see below, #2). If the complainant is unable to prepare the formal complaint in writing, administrative staff shall help him/her to do so.

1. A formal 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
 - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter

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2. The following compliance officer(s) shall receive and investigate complaints and shall ensure district compliance with law:

Assistant Superintendent, Personnel
600 N. Cherry
Tulare, CA 93274
(559) 685-7200

3. When a formal written complaint is received, the employee shall be notified within five days.

Response to Level 3 (Formal) Complaint

1. The district compliance officer shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 calendar days. The compliance officer shall prepare and send to the complainant, and the employee against whom the complaint was made, a written report of the district's investigation and decision.
2. The written report shall include:
 - a. The findings of fact based on the evidence gathered
 - b. The conclusion(s) of law
 - c. Disposition of the complaint
 - d. Rationale for such disposition
 - e. Corrective actions, if any are warranted

Appeals

1. Both the complainant and the employee against whom the formal complaint was made may appeal the decision by the compliance officer to the Superintendent or designee within five business days, who shall attempt to resolve the complaint to the satisfaction of the person involved. Parties should consider and accept the Superintendent or designee's decision as final.
2. Both the complainant and the employee against whom the formal complaint was made may appeal the decision by the Superintendent or designee to the Board within five business days, who shall attempt to resolve the complaint to the satisfaction of the person involved. The Board may consider the matter at its next regular Board meeting or at a special Board meeting. The Board may decide not to hear the complaint, in which case the Superintendent's or designee's decision shall be final. 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:

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- a. The full 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 parties as to the precise nature of the complaint and to allow the parties to prepare a response
 - 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
3. All parties to a complaint may be asked to attend a Board meeting in order to clarify the issue and present all available evidence.
4. A closed session may be held to hear the complaint in accordance with law.
- (cf. 9321 - Closed Session Purposes and Agendas)*
(cf. 9323 - Meeting Conduct)
5. The decision of the Board shall be final.

Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law, Board policy and administrative regulation.

(cf. 5141.4 - Child Abuse Reporting Procedures)

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Regulation approved: September 13, 2005

TULARE CITY SCHOOL DISTRICT
Tulare, California