

SECTION: CLASSIFIED  
EMPLOYEES

TITLE: COMPLAINT POLICY

ADOPTED: April 18, 2001

REVISED:

# CALIFORNIA AREA SCHOOL DISTRICT

526 COMPLAINT POLICY	
1. Purpose	It is the policy of the Board to establish reasonable and effective means of resolving difficulties which may arise among employees, to reduce potential areas of complaints and to establish and maintain recognized two-way channels of communication between supervisory personnel and classified employees not otherwise covered by the terms of a Collective Bargaining Agreement.
2. Authority	<p>The Board intends in this complaint policy to expedite the process for all concerned parties. The policy, therefore, has as its goal the following:</p> <ol style="list-style-type: none"><li>1. The policy is intended to be used after an attempt has been made to resolve a difficulty on an informal basis between the parties concerned.</li><li>2. The policy is to secure proper and equitable solutions to complaints at the lowest possible level, and to facilitate an orderly procedure within which solutions may be pursued.</li><li>3. There shall be no reprisals of any kind against any employees or their representatives because of participation in a complaint or support thereof.</li></ol>
3. Definition	<p>For purposes of this policy the terms used herein shall have the following definitions:</p> <p><u>Complaint</u> – A complaint is any unresolved problem concerning application or interpretation of the policies, rules or regulations of the Board or written administrative procedures.</p>

<p>4. Procedures</p>	<p><u>A Day</u> – A day is any day for which an employee is contracted to work.</p> <p>Complaints should be discussed in private, informal conferences between the parties involved.</p> <p>At least one such private meeting should take place between the parties before the complaint procedure is invoked.</p> <p>A complainant may be represented or accompanied to any higher level of authority by anyone of his/her choosing.</p> <p>The time limits provided for in this policy may be extended by mutual agreement of the parties. Any decision not appealed within the limits from one level to the next level in the complaint policy shall be considered settled on the basis of the last decision and not subject to further appeal.</p> <p><u>Level One – Immediate Supervisor</u></p> <ol style="list-style-type: none"> <li>1. Within seven days after the occurrence of the act or omission giving rise to the complaint, the complainant must present his/her complaint in writing to the immediate supervisor.</li> </ol> <p>This statement shall be a clear concise expression of the complaint, and the policy or regulation for which there is an alleged violation, the person(s) involved, the decision rendered at the private conference, and the remedy sought.</p> <ol style="list-style-type: none"> <li>2. Within five days the immediate supervisor shall communicate his/her decision to the employee in writing. If the immediate supervisor does not respond within the time limit, the complainant may appeal to the next level.</li> </ol> <p>Either party to the complaint shall have the right to request a personal conference in order to resolve the problem. Either party may request the presence of one conferee.</p> <p><u>Level Two – Next Higher Level of Authority</u></p> <ol style="list-style-type: none"> <li>1. If the employee is not satisfied with the decision at Level One, s/he may appeal in writing to the appropriate building principal, if any, within five days after receiving it.</li> <li>2. This written statement shall include a copy of the original complaint, the decision rendered, the name of the appellant's conferee, if any, and a clear, concise statement of the reasons for the appeal of the decision.</li> </ol>
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3. The responding administrator shall communicate a decision to the complainant within seven days.
4. Either party in the appeal may request a personal conference within the above time limits. If the decision has not been rendered within the time limits, the complainant may appeal to the next level.

Level Three – Next Higher Level of Authority (Superintendent)

1. Within seven days after receiving the decision of the administrator at Level Two, the complainant may appeal the decision of Level Two to the Superintendent. The appeal shall be in writing and shall be accompanied by a copy of the decisions at Level One and Level Two.
2. Within five days after delivery of the appeal, the Superintendent shall investigate the complaint, giving all persons who participated in Levels One and Two a reasonable opportunity to be heard.
3. Within seven days after the delivery of the appeal, the Superintendent shall submit his/her decision in writing together with the supporting reasons, to the complainant and the administrators involved.

Level Four – The Board

1. Within seven days after receiving the decision of the Superintendent, the complainant may appeal the decision in writing to the Board.
2. The Board shall schedule the matter for a hearing at an executive session.  
  
The complainant and/or his/her conferee shall be present at the hearing.
3. Within ten days the Board will submit its decision in writing together with supporting reasons to the complainant. A copy shall be furnished to the administrators involved and the Superintendent.

The decision of the Board is final.

Miscellaneous Provisions

All documents, communications and records dealing with the processing of a complaint shall be filed in a separate file and shall not be kept in the personnel file of any of the participants.

This policy may be superceded by the provisions of an applicable Collective Bargaining Agreement.