



1310.1: COMPLAINTS: SCHOOL PERSONNEL

The following procedures have been established to provide a system for receiving, considering and acting upon complaints regarding school personnel.

I. INFORMAL RESOLUTION

A. Reasonable efforts shall be made to address the concerns and issues raised in any complaint regarding school personnel at the earliest stage, and to reach an acceptable resolution through the informal process.

B. In an effort to resolve all concerns and issues at the earliest stage and through informal methods and procedures, any complaint regarding a certificated staff member shall be first referred to the certificated staff member. Complaints regarding any classified staff shall be presented to the supervising certificated staff member, if any, or to the building principal to handle.

C. When a certificated staff member, receives a complaint, he/she will immediately address the concerns and/or issues by initiating an informal conference with the complainant, thereby providing an opportunity for a discussion and informal resolution of the concerns or issues raised in the complaint. Nothing in this Rule shall be construed to limit the involvement of the administration in addressing and resolving any concerns or issues through the informal process.

D. If the complainant's concerns and/or issues are not resolved by the certificated staff member the complainant shall be referred to the building principal who will initiate an informal conference with the complainant within ten (10) working days, thereby providing an opportunity for a discussion and informal resolution of the complainant's concerns and issues.

E. If the complainant's concerns and/or issues are not resolved by the building principal the complainant shall be referred to the building principal's supervisor who will initiate an informal conference with the complainant within ten (10) working days, thereby providing an opportunity for a discussion and informal resolution of the complainant's concerns and issues.

F. When a complaint concerning school personnel is made directly to the Board as a whole, the complaint shall be referred to the Superintendent.

G. When a complaint concerning school personnel is made to an individual Board member, the Board member may explain the process for complaints regarding school personnel as provided herein, or refer the complaint to the Superintendent.

II. FORMAL RESOLUTION

A. In the event that the initial informal handling of the complaint or concern is unsuccessful in satisfactorily addressing and resolving the concerns and/or issues of the complainant, the building principal's supervisor shall advise the complainant that the complainant may pursue the formal complaint procedures by submitting the complaint in writing to the building principal requesting that the matter be processed as a formal complaint. Failure by the complainant to submit the complaint in writing within five (5) working days after the building principal's initial informal handling shall constitute an abandonment of the complaint.

B. The formal written complaint must be signed, contain a complete statement of the facts constituting the complaint, state the relief sought, and the reason or reasons the informal handling of the complaint was not acceptable.

C. When a building principal receives a written complaint, the building principal will immediately notify the building principal's supervisor. The building principal will then draft a written response to the complaint and forward the response to the complainant within five (5) working days, and also forward the complaint and his/her written response to the Associate Superintendent of Human Resources.

D. Upon receipt of a written complaint and the building principal's response, the Associate Superintendent of Human Resources shall investigate the complaint. As part of the investigation, the Associate Superintendent of Human Resources may schedule a formal conference with all or any of the following: the certificated staff member, the classified staff and his/her supervisor, the building principal, the building principal's supervisor, and the complainant, at which time the complainant's concerns and/or issues shall be discussed. The Associate Superintendent of Human Resources may undertake any needed investigation relating to the complaint and will thereafter render a written final disposition of the complaint within ten (10) working days of receiving the formal written complaint and the principal's written response. Such written report shall summarize the facts, the determinations made, and, to the extent permissible, any corrective actions to be implemented.

E. If the complainant desires to have the disposition of the Associate Superintendent of Human Resources reviewed by the Superintendent, then the complainant must submit a written request for review within five (5) working days of receipt of the disposition by the Associate Superintendent of Human Resources. The written request for review shall be submitted to the Associate Superintendent of Human Resources who will forward to the Superintendent the written request for review, which contain a complete statement of the facts constituting the complaint, state the relief sought, and the reason the previous resolution was not acceptable, the building principal's response, and the Associate Superintendent of Human Resource's written disposition.

F. Upon receipt of a request for review, the Superintendent will review the written request for review, the complaint, the building principal's response, and the written disposition of the Associate Superintendent of Human Resources. The Superintendent may undertake any such investigation he/she deems appropriate. Thereafter, the Superintendent shall complete a written decision and provide the complainant a copy of such written decision within ten (10) working days of receiving the request for review of the decision of the Associate Superintendent of Human Resources. Such decision shall summarize the facts, the determinations made, and, to the extent necessary, any corrective actions to be implemented. The decision and disposition by the Superintendent shall be final and binding.

III. MISCELLANEOUS PROVISIONS:

A. Complaints regarding unlawful discrimination or unlawful harassment (excluding sexual harassment) should follow the complaint and reporting procedures of District Rule 4001.2. Complaints and reporting associate with sexual harassment shall follow the procedures of District Rule 4001.3. Complaints regarding instructional materials shall follow the procedures of District Rule 1310.2. Complaints regarding inappropriate conduct by school personnel or regarding child abuse or neglect as a result of the conduct of school personnel shall follow the procedures of District Rule 4163.3. Complaints by school personnel or job applicants regarding non-discrimination and harassment shall follow the procedures of District Rule 4001.2. Complaints by personnel or applicants regarding sexual harassment shall follow the procedures of District Rule 4001.3. Any school personnel who has a grievance not otherwise covered by a grievance procedure included within a collective bargaining agreement or other specific grievance procedure shall use the procedure set forth in District Rule 4325.1. Complaints by students or parents regarding non-discrimination and harassment shall follow the procedures of District Rule 5010.2. Complaints by students or parents regarding sexual harassment shall follow the procedures of District Rule 5010.3.

B. The District forbids retaliation against anyone who has reasonably, and in good faith, filed a complaint regarding school personnel. However, complaints against school personnel are considered to be very serious and therefore should never be made casually and/or without cause. District Policy, Rules, and Procedures shall not be used to bring malicious or bad faith charges against school employees. A complaint will be considered to be made in bad faith or for malicious reasons if multiple complaints are filed by an individual against a staff member or members over the same or similar issues or there is evidence of bad faith or the intent of the complaint is malicious for the purpose of harassment or for the purpose of harming the reputation of the staff member. In the event that a complaint is determined to be malicious or made in bad faith, the building principal, the Associate Superintendent of Human Resources, or their designee(s) may, with the approval of the Superintendent or the Superintendent's designee, deny the complaint without further investigation.

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July 8, 2024

Related Policies and Rules

[1310: Complaints: School Personnel / Instructional Materials](#)

[1310.2: Complaints: Instructional Materials](#)

[1125: Communication with the Board of Education](#)

[4163.3: Remedial Action Investigation/Procedure](#)