

Administrative Regulation

Complaints

AR 4244

Personnel

A complaint is an assertion by an employee that there has been a violation, misinterpretation, or inequitable application of District policies, administrative regulations and procedures, existing laws, or other actions that adversely and directly affects the employee personally and/or his/her work.

It is the intent of this procedure that employee complaints will be identified and corrected at the earliest possible time and at the lowest level of supervision.

Complaint processing should be viewed as a positive and constructive effort which seeks to establish the facts upon which the complaint is based and come to fair conclusion. Employees shall not be discriminated against nor shall reprisal be attempted against an employee because he/she filed a complaint.

(cf. 4031 - Complaints Concerning Discrimination in Employment)
(cf. 4119.11 - Sexual Discrimination or Harassment)

Procedures

The following guidelines shall prescribe the manner in which complaints are handled:

1. All matters related to a complaint shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint.
2. All documents, communications, and records dealing with the complaint shall be placed in a District complaint file. No such material shall be placed in an employee's personnel file.
3. No reprisals shall be taken against any participant in a complaint procedure by reason of such participation.
4. Time limits specified in these procedures may be reduced or extended in any specific instance by written mutual agreement of the parties involved. If specified or adjusted time limits expire, the complaint may proceed to the next step.
5. Any complaint not taken to the next step within prescribed time limits shall be considered settled on the basis of the answer given at the preceding step.

Complaints shall be processed according to the step-by-step procedures outlined below:

1. Working Site Level (Step 1)

a. A complaint shall be presented orally and informally to the immediate supervisor. If the complaint is not promptly resolved, it shall be reduced to writing, using the Employee Complaint Form (see Exhibit), and submitted to the immediate supervisor.

b. Within five work days after receiving the complaint the immediate supervisor shall render a decision, in writing, using the Complaint Response Form (see Exhibit), to the complainant and the person or persons originally involved in the complaint.

2. Site Level (Step 2)

a. Within five work days after receiving the decision at Step 1, the complainant may appeal the decision, in writing, to the appropriate director, principal, or supervisor.

b. The supervisor shall, within ten work days of receipt of the appeal, investigate and render a decision, in writing, to the complainant, the immediate supervisor, and to the person or persons originally involved in the complaint.

3. District Level (Step 3)

a. Within five work days after receiving the decision at Step 2, the complainant may appeal the decision, in writing, to the Superintendent or official designee.

b. The Superintendent or official designee shall, within ten work days of receipt of the appeal, investigate and render a decision, in writing, to the complainant, the principal or immediate supervisor, and to the person or persons originally involved in the complaint.

4. Governing Board Level (Step 4)

a. Within five work days after receiving the decision at Step 3, the complainant may appeal the decision to the Board.

b. The Board shall, within 30 work days following receipt of the appeal, investigate and render a final decision in writing to the complainant, the principal or immediate supervisor, and to the person or persons originally involved in the complaint.