

AR 1312.1 Community Relations

### **Complaints Concerning County Office Of Education Employees**

#### Complaint Procedures

The County Superintendent of Schools or designee shall determine whether a complaint should be considered a complaint against the County Office of Education and/or the individual, and whether it should be resolved by the County Office's process for complaints concerning personnel, other procedures, or both.

The County Office shall annually review its policies and regulations related to complaints against County Office personnel.

In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints against County Office employees:

1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, complaints concerning school personnel should be made directly by the complainant to the person against whom the complaint is made. Parent/guardians are encouraged to attempt to orally resolve concerns with the staff member personally.
2. If a complainant is unable or unwilling to resolve the complaint directly with the person involved, he/she may submit an oral or written complaint to the employee's immediate supervisor or the principal.
3. When a written complaint is received, the employee shall be notified in accordance with collective bargaining agreements.
4. All complaints related to County Office personnel other than administrators shall be submitted in writing to the principal or immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to a site level administrator or central office administrator shall be initially filed in writing with the County Superintendent or designee. Complaints related to a Board member shall be initially filed in writing with the County Board of Education.
5. A written complaint must include:
  - a. The 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.
6. The person responsible for investigating complaints will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days.

7. The complainant may appeal a decision by the site level administrator or immediate supervisor to the County Superintendent's designee, who will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days. Complainants should consider and accept the County Superintendent's designee's decision as final. However, the complainant employee, may ask to address the County Superintendent regarding the complaint.

8. Before the County Superintendent considers a complaint, the designee shall submit to the County Superintendent a written report concerning the complaint, including but not limited to:

a. The name of each employee involved.

b. A brief specific summary of the complaint and the facts surrounding it, sufficient to inform the County Superintendent and the employee(s) as to the precise nature of the complaint and to allow the employee(s) to prepare a defense.

c. A copy of the signed original complaint.

d. A summary of the action taken by the designee, together with his/her specific finding that the problem has not been resolved and the reasons.

9. The County Superintendent may uphold the designee's decision without hearing the complaint.

10. All parties to a complaint may be asked to meet with the County Superintendent in order to present all available evidence and allow every opportunity for explaining and clarifying the issue.

11. Before the County Superintendent conducts a closed hearing to hear complaints or charges brought against an employee, the employee shall receive written notice of his/her right to have the complaints or charges heard in an open hearing rather than a closed hearing. This notice shall be delivered personally or by mail at least 24 hours before the time of the hearing, and the employee may request that the complaints or charges be heard in open hearing. Complaints concerning County Board members shall be addressed in open session of the County Board unless closed session is warranted pursuant to Education Code 35146 or 48918 or Government Code 54957 or 54957.6.

12. Any decision of the County Superintendent or County Board shall be final.

When a complaint of child abuse is alleged, the County Office shall provide parents/guardians procedures for filing a child abuse complaint with the appropriate child protective agencies.

Upon request, such procedures shall be written in the primary language of the parent/guardian, and the County Superintendent or designee shall provide an interpreter if needed.

Providing the above procedures to parents/guardians does not relieve mandated reporters from their duties to report suspected child abuse in accordance with the law.

Regulation STANISLAUS COUNTY OFFICE OF EDUCATION  
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