

# LODI UNIFIED SCHOOL DISTRICT

REVISED  
Rule 1312.1

## 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.~~

*Every effort should be made to resolve complaints regarding district employees at the earliest possible stage. Any person who complains about a district employee shall be encouraged to resolve the matter informally through direct communication with the employee whenever possible.*

*If a complainant is unable or unwilling to resolve the complaint directly with the employee, the complainant may submit a written complaint to the principal or other immediate supervisor of the employee. Complaints related to a principal or district administrator shall be initially filed in writing with the Superintendent or designee. If the complainant is unable to prepare the complaint in writing, administrative staff shall provide assistance in the preparation of the complaint.*

*A written complaint shall include the full name of the employee involved, a brief but specific summary of the complaint and the facts surrounding it, and a description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.*

To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against district employees:

- ~~1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns. When a written complaint is received, the employee who is the subject of the complaint shall be notified within five days or in accordance with the collective bargaining agreement.~~
- ~~2. 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. The principal or other immediate supervisor of the employee shall investigate and attempt to resolve the complaint to the satisfaction of the parties involved within 30 days. A complaint against a school or district administrator shall be investigated by the Superintendent or designee. The investigation may include interviews of~~

*the employee, complainant, or witnesses as necessary and/or a review any documentation relevant to the complaint.*

3. ~~All complaints related to district 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 principal or central office administrator shall be initially filed in writing with the Superintendent or designee. Complaints related to the Superintendent shall be initially filed in writing with the Board. Both the complainant and employee shall be notified in writing of the final decision regarding the resolution of the complaint.~~
4. ~~When a written complaint is received, the employee shall be notified within five (5) days or in accordance with collective bargaining agreements. Either the complainant or the employee against whom the complaint was made may appeal the decision. A decision by the principal or immediate supervisor may be appealed to the Superintendent or designee, who shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days. Either the complainant or the employee may appeal the Superintendent's decision to the Governing Board.~~
5. ~~A written complaint shall include:~~ *If the decision is appealed to the Board, the Superintendent or designee shall submit to the Board the following information:*
  - 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 specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter~~ *A copy of the signed original complaint*
  - d. *A summary of the action taken by the Superintendent or designee and the reasons that the problem has not been resolved*

6. ~~Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within thirty (30) days.~~
7. ~~Both the complainant and the employee against whom the complaint was made may appeal a decision by the principal or immediate supervisor to the Superintendent or designee, who shall attempt to resolve the complaint to the satisfaction of the person involved within thirty (30) days. Parties should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board regarding the complaint.~~
8. ~~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:~~
  - 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~~
9. ~~The Board may uphold the Superintendent's decision without hearing the complaint.~~
10. ~~All parties to a complaint may be asked to attend a Board meeting in order to clarify the issue and present all available evidence.~~
11. ~~A closed session may be held to hear the complaint in accordance with law.~~
12. ~~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.~~

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Rule

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