

Fremont Union HSD

Board Policy

BP 1312.1 Community Relations

Complaints Against District Personnel

The Board accepts responsibility for providing a means by which employees and members of the public can resolve disputes and hold district employees accountable for their actions. This policy and the administrative regulation apply to complaints against district employees by members of the public, district employees, or parents/students of the district when the alleged act or omission is unrelated to a complaint of unlawful discrimination or sexual harassment.

The Board recognizes the necessity to protect the rights of its employees and to afford employees every opportunity to answer any charges. The Board desires that complaints be resolved expeditiously without disrupting the educational process.

Informal Resolution

Complaints should normally be communicated by the complainant directly to the person against whom the complaint is made. It is hoped that concerns can be offered orally and processed in an informal manner. The immediate supervisor may become involved in an attempt to facilitate resolution of the complaint. The district and all parties involved should endeavor to resolve the complaint at an informal level.

Written Complaints

Should the complaint not be resolved at the informal level, the complainant may place the complaint in writing and direct the complaint to the employee's immediate supervisor. An employee may bypass his/her supervisor and submit a written complaint to another supervisor, the site principal, or a district administrator if the complaint is against the immediate supervisor.

Written complaints will be processed, and may be investigated, according to the procedures outlined in the administrative regulation.

Complaints to the Board

Criticism against an employee initially made to a board member will be referred to the Superintendent to consider any action(s) in accordance with applicable administrative regulations and as appropriate. Criticism against an employee made at a public board meeting may be ruled out of order and the complainant referred to the Superintendent.

Retaliation and Confidentiality

The Board prohibits retaliation against complainants. The Superintendent or designee may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint.

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

35146 Closed sessions

44031 Personnel file contents and inspection

44811 Disruption of public school activities

44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)

48987 Child abuse guidelines

GOVERNMENT CODE

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

PENAL CODE

273 Cruelty or unjustifiable punishment of child

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction of juvenile court

Management Resources:

CDE LEGAL ADVISORIES

0910.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site (LO:4-93)

Policy FREMONT UNION HIGH SCHOOL DISTRICT

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