

ARTICLE 6: COMPLAINTS PROCEDURE CONCERNING EMPLOYEE PERFORMANCE

A. When a complaint about an employee's performance is received by the administration, there shall be an administrator employee conference in each of the following circumstances:

- 1.** If the administrator places a record of a complaint received from a parent, citizen of the District, or staff member in the employee's personnel file;
- 2.** If the administrator uses the parent, citizen, or staff member complaint as a basis of a written judgment of the employee; or
- 3.** If, in the administrator's judgment, such parent, citizen or staff member complaint is sufficiently relevant to the employee's performance as to indicate the desirability of such conference.
- 4.** If a student complaint alleges that an employee has committed a criminal act. In such cases, the student shall be identified and a conference held within five working days unless prohibited because of an ongoing investigation by DHS and/or law enforcement. Other student complaints are not subject to the limitations contained in this Article.

B. Only complaints from parents, citizens of the District or staff members which have been discussed with the employee within 30 working days after the complaint is brought to the attention of the District, (~~or student complaint as identified in Section A 4 above which has been discussed with the employee within five working days after the complaint is brought to the attention of the District~~) may be used against the employee in any subsequent action brought by the District.

C. The employee shall be notified if a substantive complaint is recorded in the employee's working file, personnel file or used as a basis of a written judgment of the employee, the name of the complainant shall be included in the written record and the employee shall have the right to review the record and attach a rebuttal to any claims.