

Complaints Concerning Agency Employees

The Yolo County Superintendent of Schools' ("Superintendent") designee shall determine whether a complaint should be considered a complaint against the agency and/or an individual employee and whether it should be resolved by the agency's process for complaints concerning personnel and/or other agency procedures.

(cf. 1312.3 – Uniform Complaint Procedures)

To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against agency 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.
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.
3. All complaints related to agency 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 do so. Complaints related to a principal or central office administrator shall be initially filed with the Superintendent or designee. Complaints related to the Superintendent shall be initially filed in writing with the Director of Personnel.
4. When a written complaint is received, the employee shall be notified within five (5) days or in accordance with the collective bargaining agreements.
5. A written complaint shall include:
 - A. The full name of each employee involved;
 - B. A brief but specific summary of the complaint and the facts surrounding it; and
 - C. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.
6. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days. If additional time is required to investigate the complaint, the person responsible for investigating the complaint shall inform the complainant in writing.
7. Both the complainant and the employee against whom the complaint was made may request to meet with the Superintendent's designee to discuss the complaint further.

8. Both the complainant and the employee against whom the complaint is made may appeal a decision by the principal or immediate supervisor to the Superintendent's designee, who shall attempt to resolve the complaint to the satisfaction of the person involved within 30 days. Parties should consider and accept the Superintendent designee's decision as final. However, no later than 10 days from the date of the Superintendent designee's decision, the complainant or the employee may appeal to the Superintendent regarding the complaint.
9. Before any Superintendent consideration of a complaint, the Superintendent's designee shall submit to the Superintendent 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 Superintendent 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; and
 - D. A summary of the action taken by the staff responsible for investigating the complaint, together with his/her specific finding that the problem has not been resolved and the reasons.
10. The Superintendent may uphold the investigator's decision without hearing the complaint.
11. The Superintendent may appoint an independent investigator to investigate the complaint further if the Superintendent concludes that additional information is required or the Superintendent may direct the investigator to research additional information.
12. All parties to a complaint may be asked to attend a meeting with the Superintendent or Superintendent's designee in order to clarify the issue and present all available evidence.
13. The decision of the Superintendent shall be final.

Any complaint of child abuse or neglect alleged against an agency employee shall be reported to the appropriate local agencies in accordance with law, Superintendent policy, and administrative regulation.

ADOPTED: 01/28/2020

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