

# MANTECA UNIFIED SCHOOL DISTRICT

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## Community Relations

AR 1312.1(a)

### COMPLAINTS CONCERNING DISTRICT EMPLOYEES

Complaints concerning school personnel should be made directly by the complainant to the person against whom the complaint is lodged. If the complaint is not resolved at this level, the complainant is requested to put the complaint into writing and to direct it to the employee's administrative supervisor or principal. After receiving the written complaint, the administrative supervisor or principal shall respond to the complainant within ten working days the receipt of the complaint. If the complaint, after review and action by the supervisor, remains unresolved, the supervisor shall refer the written complaint, together with the supervisor's report and analysis of the situation, to the Superintendent or his/her designee. The Superintendent or his/her 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 within 10 working days. The Superintendent's decision shall be final unless the complainant, the employee, or the Superintendent requests a closed hearing before the Governing Board on the complaint. If the employee so requests, an open hearing will be held.

Every effort should be made to resolve the complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.

Failure of the complainant to put the complaint into written form will be considered by the district as a dropping of the complaint.

#### Hearing

No hearing, either in open or closed session, will be held by the Governing Board on any complaint unless and until the Board has received the Superintendent's written report concerning the complaint. The Superintendent's report shall contain, but not be limited to, the following:

1. The name of each employee involved
2. A brief but specific summary of the nature of the complaint and the facts surrounding it, sufficient to inform the Board and the employee(s) as to the precise nature of the complaint and to allow the employee(s) to prepare a defense
3. A true copy of the signed original of the complaint
4. A summary of the action taken by the Superintendent in connection with the complaint, with the Superintendent's specific finding that disposition of the case at the Superintendent's level has not been possible, and the reasons therefore.
5. The Board may uphold the Superintendent's decision without hearing the complaint.

# MANTECA UNIFIED SCHOOL DISTRICT

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AR 1312.1(b)

## COMPLAINTS CONCERNING DISTRICT EMPLOYEES (continued)

*(Exception:* Notwithstanding the provisions of paragraph 4 above, any written complaint forwarded to the Board, whether by the district administration or otherwise, which meets the informational requirements of subparagraphs 1 and 2 above, and which further contains within it specific allegations of (a) prior submission of the complaint in the similar form to the Superintendent, and (b) the failure or refusal of the Superintendent to effectively dispose of the complaint, shall, subject to Board agenda requirements, be heard by the Board at its next regularly scheduled session or any other session scheduled for the purpose of such hearing.)

The district administration shall cooperate with the complainant and aid in the preparation of any formal complaint so as to quickly meet the informational requirements of these rules. Copies of the rules regarding the submission and handling of all such complaints shall be made freely available.

All parties involved, including the school administration, shall be requested to attend such a meeting, for the purposes of presentation of all available evidence, allowing every opportunity for the explanation, and for clarifying the issue(s). At no time shall a setting exist which in effect places the employee on trial.

The decision of the Board following the hearing shall be final.