

COMPLAINTS CONCERNING EMPLOYEES

The following guidelines shall prescribe the manner in which complaints are handled:

1. A “complaint” shall be defined as an alleged misapplication of the County Office of Education’s policies, regulations, rules or procedures. Procedures for the resolution of employee complaints provide a route of appeal through administrative channels and to the County Superintendent of Schools, if necessary. If the complaint is related to discrimination, the County Office’s procedure for complaints concerning discrimination should be used.
2. If a complaint involves sexual harassment, the initial complaint should be made directly to the offending employee’s immediate supervisor. An employee is not required to resolve sexual harassment complaints with the offending person.
3. So as not to interfere with school/program schedules, meetings related to a complaint shall be held before or after the complainant’s regular working hours.
4. All matters related to a complaint shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint
5. All documents, communications and records or parties thereto dealing with the complaint shall be placed in a County Office complaint file. No such material shall be placed in an employee’s personnel file.
6. Time limits specified in these procedures may be reduced or extended in any specific instance by written mutual agreement of the parties involved. If specified or adjusted time limits expire, the complaint may proceed to the next step.
8. Any complaint not taken to the next step within prescribed time limits shall be considered settled on the basis of the answer given at the preceding step.

Retaliation is Prohibited

The initiation of a complaint of sexual harassment will not cause any reflection on the complainant nor will it affect such person’s future business dealings with the County Office, his or her employment, compensation or work assignments, or, in the case of students, grades, class section or other matters pertaining to his or her status as a student of any County Office program.

Informal Complaints

Employees are encouraged to resolve complaints informally. Formal complaint procedures shall not be initiated unless informal efforts to resolve the complaint have been exhausted and the complainant has provided a written description of such efforts.

COMPLAINTS CONCERNING EMPLOYEES (continued)

Formal Complaint Procedure - Step 1

If a complaint has not been satisfactorily resolved by informal procedures, the complainant may file a written complaint with the immediate supervisor or principal/program administrator within 60 days of the act of event which is the subject of the complaint.

Within five working days of receiving the complaint, the immediate supervisor or principal/program administrator shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

The immediate supervisor or principal/program administrator shall present all concerned parties with a written answer to the complaint within ten working days after the meeting.

Formal Complaint Procedure - Step 2

If a complaint has not been satisfactorily resolved at Step 1, the complainant may file the written complaint with the County Superintendent or designee within five working days of receiving the answer at Step 1. All information presented at Step 1 shall be included with the complaint, and the immediate supervisor or principal/program administrator shall submit to the County Superintendent or designee a report describing attempts to resolve the complaint at Step 1.

Within five working days of receiving the complaint, the County Superintendent or designee shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

The County Superintendent or designee shall present all concerned parties with a written answer to the complaint within ten working days after the meeting.

MENDOCINO COUNTY BOARD OF EDUCATION

Regulation approved: September 16, 1991

Revised: September 10, 2012