

Complaints Concerning Employees

The Solano County Office of Education (SCOE) accepts responsibility for providing a means by which the public can hold employees accountable for their actions. SCOE desires that complaints be resolved expeditiously without disrupting the educational process. Complainants are encouraged to resolve problems early and informally whenever possible.

The County Superintendent or designee shall develop regulations which permit the public to submit complaints against SCOE employees in an appropriate way. These regulations shall protect the rights of involved parties.

Complaints between two employees shall not be considered under this procedure but rather under Policy 4144 –Complaints. This process should not be used for complaints concerning a County Board of Education member. Such complaints should be filed in writing directly with the Board.

SCOE prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. SCOE will not investigate anonymous complaints unless it so desires.

The Superintendent or designee shall determine whether a complaint should be considered a complaint against SCOE and/or an individual employee, and whether it should be resolved by SCOE's process for complaints concerning personnel and/or other procedures.

To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against SCOE employees subject to collective bargaining:

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, s/he may submit an oral or written complaint to the employee's immediate supervisor.
3. All complaints related to SCOE personnel other than administrators shall be submitted in writing to the immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to a principal or central office administrator shall be initially filed in writing with the Superintendent or designee.
4. When a written complaint is received, the employee shall be notified within five days or in accordance with 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
 - 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.
7. Both the complainant and the employee against whom the complaint was made may appeal a decision by the immediate supervisor to the Department Head, who shall attempt to resolve the complaint to the satisfaction of the person involved within 30 working days.

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

Policy 1312.1 (Continued)

8. The Department Head shall make every effort to resolve complaints at the administrative level. In those cases where administrative resolution is not possible or the complaint is against the Department Head, the matter will be channeled to the Superintendent or designee.
9. The decision of the Superintendent or designee shall be final.

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

Legal Reference:

EDUCATION CODE

- 33308.1 Guidelines on procedure for filing child abuse complaints
- 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

Policy Cross-Reference:

- 1312.2 Complaints Concerning Instructional Material
- 1312.3 Uniform Complaint Procedures
- 3515.2 Disruptions
- 4144 Complaints
- 4360.2 Internal Employee Complaint Procedure
- 5141.4 Child Abuse Prevention and Reporting