

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 4144

SP 4244

SP 4344

COMPLAINT PROCEDURE

The County Superintendent recognizes the need for providing employees and job applicants the ability to have their concerns heard in an expeditious and unbiased manner. The County Superintendent expects that employees and supervisors will make every effort to resolve employee complaints and disagreements informally before resorting to formal complaint procedures.

A "complaint" shall be defined as an alleged misapplication of the Butte 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, if necessary.

If the complaint is related to discrimination or sexual harassment, the procedure for complaints concerning discrimination and sexual harassment should be used. If the complaint involves subjects covered by a collective bargaining agreement, the appropriate grievance procedure should be used.

All matters related to a complaint shall be kept confidential and any document, communication, or record regarding the complaint shall be placed in a separate file and shall not be placed in an employee's personnel file. The Superintendent prohibits retaliation against complainants. The Superintendent or designee may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint.

Legal Reference:

5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 35186	Complaints regarding teacher vacancy or misassignment
Ed. Code 44110-44114	Reporting by school employees of improper governmental activity
Gov. Code 3543	Public school employees' rights
Gov. Code 3543.1	Rights of employee organizations
Gov. Code 53296-53299	Disclosure of confidential information; whistleblower
Gov. Code 54957	Complaints against employees; right to open session
Lab. Code 1102.5-1106	Whistleblower protections

Approved: July 2004

Revised: February 2023

Butte County Office of Education

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 4144

AR 4244

AR 4344

REGULATIONS REGARDING COMPLAINT PROCEDURES

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.

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 within 60 days of the act or event, which is the subject of the complaint.

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

The immediate supervisor 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 department Assistant Superintendent within ten working days of receiving the answer at Step 1. All information presented at Step 1 shall be included with the complaint.

Within ten working days of receiving the complaint, the department Assistant Superintendent shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

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

Formal Complaint Procedure - Step 3

If a complaint has not been satisfactorily resolved at Step 2, the complainant may file a written appeal to the County Superintendent within ten working days of receiving the answer at Step 2. All information presented at Steps 1 and 2 shall be included with the appeal.

The County Superintendent shall present a written answer to the appeal within ten working days of receipt of the complaint. The County Superintendent's decision is final.

Approved: July, 2004

Revised: