

COMMUNITY RELATIONS

Complaints Concerning Personnel

The Superintendent places trust in San Joaquin County Office of Education (SJCOE) employees and intends to support employee actions in such a manner that they are freed from unwarranted, spiteful, or negative criticism and complaints.

The Superintendent directs that procedures be developed which permit the public to lodge complaints against employees and assure a thorough review while protecting the rights of SJCOE and its employees. All complaints are to be resolved expeditiously without disrupting the educational process.

Complaints made against a SJCOE employee will be referred to the Director of Human Resources for consideration and action according to established procedures. Complaints made against a SJCOE employee that allege discrimination, harassment, intimidation, bullying, or related retaliation, and/or that allege SJCOE has violated federal or state laws or regulations governing education programs will be processed under 1312.3 – Uniform Complaint Procedure or 5145.7 – Sexual Harassment or AR 4031 – Complaints Concerning Discrimination in Employment.

When complaints involve accusations of child abuse, the provisions of this policy and regulation shall be implemented only after the child-abuse reporting requirements specified in law and SJCOE policy have been completed.

Retaliation against complainants is prohibited. The Director of Human Resources may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. SJCOE will not investigate anonymous complaints unless it so desires.

cf: 1312.2 Complaints Concerning Instructional Materials
1312.3 Uniform Complaint Procedures
4031 Complaints Concerning Discrimination in Employment
5145.3 Nondiscrimination/Harassment
5145.7 Sexual Harassment

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

35146 Closed sessions

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

(10/96)