

ARTICLE XIII

PUBLIC COMPLAINTS

- A. No negative and/or unsatisfactory evaluation, discipline, dismissal, or other adverse action shall be predicated upon complaints, information or material of a derogatory or critical nature which has been received by the District from pupils, parents, District employees, public agency, and/or the public unless the following procedures have been followed:
1. Any public complaint about a unit member shall be reported to the unit member by the administrator receiving the complaint, within five (5) working days of receipt. The complainant shall be encouraged to resolve concerns through verbal communication with the unit member or the unit member's immediate supervisor. Every effort shall be made by the supervisor to refer the complainant to the unit member first. However, nothing in this section is intended to preclude the administrator from addressing complaints without notifying the unit member provided that such complaints are not later referenced by the administrator or used adversely against the unit member.
 2. The unit member may request, or the administrator shall attempt to convene, a meeting among the unit member, the complaining party, and the administrator in order to attempt to resolve the problem. At the request of the unit member, Association representative(s) may be present at the meeting. If the complainant refuses to attend the meeting, the complaint shall neither be placed in the unit member's personnel file nor utilized in any evaluation, assignment, or disciplinary or dismissal action against the unit member.
 3. If the matter is not resolved at the meeting to the satisfaction of the complainant, the complainant may submit the complaint in writing. The original copy shall be given to the unit member with a copy to the unit member's immediate supervisor. The unit member shall be given time during the duty day, without salary deduction, to review the complaint and prepare responsive comments. If no written complaint is received, the matter shall be dropped.
 4. Complaints which are withdrawn or shown to be false, shall neither be placed in the unit member's personnel file nor utilized in any evaluation, assignment, or disciplinary or dismissal action against the unit member.
 5. Complaints that are found to be substantive may result in some follow up action by the immediate supervisor, even if resolved. All information or proceedings regarding any complaint shall be kept confidential.