

# Arcadia USD

## Administrative Regulation

### Community Relations

#### General Complaint Procedures

AR 1312.0

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

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 4144/4244/4344 - Complaints)*

This general complaint procedure is intended to:

1. Encourage solving problems between those individuals most involved in the situation
2. Resolve problems as quickly as possible
3. Assist in clear communication
4. Provide an orderly and known process

When necessary for communication, an interpreter will be provided to the extent reasonably possible. The Superintendent or designee shall ensure that staff designated to investigate complaints are knowledgeable about the related laws and programs and have access to legal counsel as determined to be appropriate.

Level 1 (Informal level; required before proceeding to Level 2)

1. In an effort to seek immediate resolution of the concern, the complainant shall first interact with the individual who is the subject of the complaint or is in the best position to address the complaint if it is a non-personnel-related matter. The only exception shall be if a situation exists which is determined to be extremely sensitive or could represent a violation of law or district policies, in which case the complainant should direct the complaint to the employee's supervisor as outlined in Exhibit 1312.1.

2. If the complaint is not resolved at the direct contact level, the complainant shall confer with the immediate supervisor of the employee who is the subject of the complaint or who is in the best position to take action on a non-personnel-related complaint. The supervisor shall communicate with the employee who is the subject of or closest to the complaint, and any other involved parties, in an attempt to assist in informally resolving the issue.

3. If the supervisor of the employee who is the subject of the complaint (or the person in the best position to address a non-personnel-related complaint) is not able to find a resolution which is mutually satisfying to the complainant and the employee, the supervisor shall make a decision to:

- a. Find no cause to overrule the employee's decision or action
- b. Modify the decision without determining procedural or other error
- c. Overrule the employee and then, through delegated authority from the Superintendent, direct alternative action

The supervisor shall advise all parties of his/her judgment.

4. Until such informal communication with the employee and employee's supervisor has been completed, the complaint shall not progress to the formal procedure outlined in Level 2. If the complainant is not satisfied with the outcome and chooses to pursue resolution to his/her personal satisfaction, the complainant may proceed to Level 2.

#### Level 2

1. Complaint Forms, along with copies of the Board policy on Complaints (see BP 1312.0) should be available at each school and through the receptionist's desk in the district office, and can also be accessed on the district's website.

2. The complainant shall obtain, complete and submit a Complaint Form (see E 1312.1) to the principal or appropriate department head identified in the section of this procedure entitled, Where to File a Level 2 Complaint.

3. The principal or department head shall review the completed Complaint Form and provide a copy to the employee who is the subject of the complaint (or in a position to resolve the complaint) and other involved parties, as he/she deems appropriate.

4. The principal or department head shall investigate the facts and, in a timely manner, communicate with the complainant, the employee who is the subject of the complaint, and others as he/she deems appropriate.

5. The principal or department head shall advise all parties of his/her decision to:

- a. Find no cause to overrule the employee's decision.
- b. Modify the decision without determining procedural or other error.
- c. Overrule the employee who is the subject of the complaint and then, through delegated authority from the Superintendent, direct modified or alternative action.

6. If the complainant is satisfied with the principal's or department head's decision at Level 2, the completed Complaint Form shall be filed in the office of the principal or department head.

7. If the complainant is not satisfied with the outcome at Level 2 and chooses to pursue further action, a copy of the completed Complaint Form shall be forwarded to the Assistant Superintendent - Educational Services Office for processing at Level 3.

### Level 3

1. The principal or department head, upon notice from the complainant that he/she is appealing to Level 3, shall forward a copy of the Complaint Form to the Assistant Superintendent - Educational Services Office. The principal or department head shall have completed that portion of the form reporting the disposition of the complaint, including a brief statement explaining his/her judgment regarding its disposition.

2. Upon review, the Assistant Superintendent - Educational Services or designee shall in a timely manner:

- a. Review the previous decisions and issue a judgment regarding the complaint.
- b. Reinvestigate the complaint directly.
- c. Forward the complaint to a Complaint Review Panel for an advisory opinion.

3. When convened, the Complaint Review Panel shall be comprised of a parent, a school district employee, and a citizen representative appointed by the Assistant Superintendent - Educational Services.

4. Where the Assistant Superintendent has requested an advisory opinion from a Complaint Review Panel, the panel shall conduct, in a timely manner, a hearing where the complainant may present his/her case. The Complaint Review Panel may also review other information and witnesses as appropriate and necessary to reach a recommendation.

5. The Complaint Review Panel, within five working days of the hearing, shall render an advisory recommendation to the Assistant Superintendent - Educational Services or designee.

6. The Assistant Superintendent - Educational Services within five working days of the Complaint Review Panel's advisory recommendation, shall advise all parties of his/her final judgment.

7. If the complaint is not resolved to the personal satisfaction of the complainant after notification of the judgment by the Assistant Superintendent - Educational Services or designee at Level 3, the final level of appeal shall rest with the Board.

### Level 4

1. If the complainant wishes to appeal to Level 4, he/she must, in writing, request an appearance at a regularly scheduled meeting of the Board where he/she shall be heard in accordance with Board Bylaw 9322 and the California Brown Act (Education Code 54957).

2. The Board has the option to:
  - a. Take no action, which has the effect of upholding previous decisions.
  - b. Take action reversing previous decisions.
  - c. Take action modifying previous decisions.
3. The decision of the Board shall be final.