

CVUSD Board Policy

BP 4144, 4244, 4344

Personnel

Complaints

The Governing Board recognizes the need to establish a process to allow employees and job applicants to have their concerns heard in an expeditious and unbiased manner. The Board expects that employees will make every effort to resolve complaints and disagreements informally before filing a formal complaint.

- (cf. 1312.3 - Uniform Complaint Procedures)
- (cf. 1312.4 - Williams Uniform Complaint Procedures)
- (cf. 3320 - Claims and Actions Against the District)
- (cf. 4031 - Complaints Concerning Discrimination in Employment)
- (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Note: Pursuant to Education Code 44112-44113 and Government Code 53297, the district is prohibited from retaliating against, or otherwise interfering with, an employee for exercising his/her right to file a whistleblower complaint. See BP 4119.1/4219.1/4319.1 - Civil and Legal Rights. However, pursuant to Government Code 53298, the district may take disciplinary action against an employee for disclosing false or confidential information.

The Board prohibits retaliation against complainants. The Superintendent or designee may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint.

- (cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)
- (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

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.

- (cf. 4112.6/4212.6/4312.6 - Personnel Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

35186 Williams uniform complaint procedures

44110-44114 Reporting by school employees of improper governmental activity

GOVERNMENT CODE

3543 Public school employees' rights

3543.1 Rights of employee organizations
53296-53299 Disclosure of confidential information; whistleblower
54957 Closed session; personnel matters
LABOR CODE
1102.5-1106 Whistleblower protections
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in district programs and activities

Management Resources:
WEB SITES
CSBA: <http://www.csba.org>

CSBA: (6/90 6/92) 3/08

CVUSD Global Adoption: August 19, 2008