

# Stockton USD

## Board Policy 1312.1

### COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The Board desires that complaints concerning allegations of employee misconduct be resolved expeditiously, impartially, and with minimal disruption to District operations and the educational process.

Any complaint accusing a District employee of misconduct shall be addressed in accordance with this Board Policy (“BP”) and the corresponding Administrative Regulation (“AR”) except for:

1. Complaints that are otherwise subject to the Uniform Complaint Procedure as set forth in BP/AR 1312.3;
2. Complaints alleging child abuse or neglect, which must be reported to the appropriate local agencies in accordance with law and BP/AR 5141.4 - Child Abuse Prevention and Reporting;
3. Complaints involving a District Police Officer, including complaints alleging use of excessive force, which shall be addressed in accordance with District Public Safety Department Policy 1020, which is an attachment to this Board Policy;
4. Complaints alleging a violation of a collective bargaining agreement, which are to be addressed pursuant to the applicable grievance procedure.

As used in this Policy, “misconduct” refers to any conduct that constitutes a violation of a District BP/AR, school or department rule or policy, or a state or federal law and which may be grounds for employee discipline.

The District prohibits retaliation against any individual for making a complaint or participating in an investigation pursuant to this BP. The District shall not disclose a complainant's identity, except as may be necessary for the investigator to conduct to a fair and thorough investigation of the allegations and as required by law. The Superintendent or designee has discretion to decide whether to investigate anonymous complaints, depending on the specificity and reliability of the information as well as the nature of the alleged misconduct.

#### Cross References

BP/AR 1312.2 - Complaints Concerning Instructional Material

BP/AR 1312.3 - Uniform Complaint Procedures

BP/AR 3515.2 – Disruptions

AR 5141.4 – Child Abuse Prevention and Reporting

#### Legal References

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

44811 Disruption of public school activities

44932-44949 Resignation, dismissal and leaves of absence for certificated employees

48987 Child abuse guidelines

49001 Prohibition of corporal punishment

GOVERNMENT CODE

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction of juvenile court