

# Morgan Hill USD

## Board Policy

### Complaints Concerning District Employees

BP 1312.1

#### Community Relations

The Governing Board ~~accepts responsibility for providing a means by which recognizes its accountability to~~ the public for the quality of the district's educational program and the performance of district employees. The district shall provide a process by which a complaint submitted by any person regarding an employee can hold employees accountable for their actions. The Board desires that complaints be resolved impartially, expeditiously without disrupting, and with minimal disruption to district operations and the educational ~~process~~program.

The Superintendent or designee shall develop regulations which permit the public to submit complaints against district employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. ~~3515.2 - Disruptions~~3555 - Nutrition Program Compliance)

The Board prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The district will not investigate anonymous complaints unless it so desires.

#### 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

~~Management Resources:~~

~~CDE LEGAL ADVISORIES~~

~~0910.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site (LO:4-93)~~

~~Policy MORGAN HILL UNIFIED SCHOOL DISTRICT~~

~~adopted: November 13, 2012 Morgan Hill, California~~  
~~COURT DECISIONS~~

~~Baca v. Moreno Valley Unified School District, (1996) 936 F. Supp. 719~~

(6/93 6/94) 5/19