

EUREKA COUNTY SCHOOL DISTRICTCOMPLAINTS CONCERNING DISTRICT EMPLOYEES

Constructive criticism of the schools is welcome when it is motivated by a sincere desire to improve the quality of the District's educational program(s). The Board places trust in its employees and desires to support their actions in such a manner that employees are freed from unnecessary, spiteful or negative criticism and complaints. The Board also believes that complaints, problems and/or issues have the greatest potential for effective resolution when they are dealt with at the level which they initially occurred. It shall be the philosophy of the Board to require that complainants follow the procedures set forth below in resolving concerns and/or complaints, understanding that the Board may be required to eventually decide the resolution of a complaint.

The following procedures shall be utilized by the Board of Trustees, employees of the District and members of the public to ensure that a complaint is given respectful and timely attention and that the integrity of the District's educational programs and confidentiality guarantees of its employees are upheld. A "complaint" is defined as criticism of the action or lack of action with regard to a particular school employee or group of employees and which implies a demand for action by school authorities.

1. If a complaint is made to the person against whom it is directed, the employee will listen courteously and try to resolve the difficulty. If the complaint remains unsatisfied, the employee will refer the complainant to the employee's immediate supervisor.
2. If a complaint is initially made to the employee's immediate supervisor or has been made to a supervisor after the complainant first attempted to resolve the matter with the employee, the supervisor will listen courteously and gather pertinent and appropriate information from the complainant. The supervisor may suggest a meeting between the complainant and the employee regarding the nature of the complaint and may schedule a meeting with the employee to provide an opportunity for explanation, comment and/or presentation. The supervisor may host a meeting with the complainant and the employee for the purpose of finding a mutually acceptable resolution of the complaint. However, after thoroughly investigating the complaint, the supervisor will determine the

ADOPTED: 07/28/92

REVISED: 01/26/99

MOVED: 5/14/19

appropriate course of action and will notify the complainant and employee of that action in a timely manner. If a supervisor determines that disciplinary action is warranted against the employee, the supervisor will indicate to the complainant that appropriate disciplinary action was or will be taken, but shall not divulge the details of the action.

3. If the complainant remains unsatisfied with the disposition of the matter by the employee's immediate supervisor, the complainant will notify the superintendent in writing regarding the nature of the complaint, the action taken by the employee's supervisor, why the complainant is unsatisfied with the supervisor's action and the resolution sought by the complainant.
4. If a written complaint is received by the superintendent after the complainant first attempted to resolve the matter with the employee and/or the employee's immediate supervisor, the superintendent will thoroughly investigate the matter. The superintendent may suggest a conference between the complainant, the employee and the employee's supervisor for the purpose of finding a mutually acceptable resolution of the complaint. However, after thoroughly investigating the matter, the superintendent will determine the appropriate course of action and will provide written notification to the complainant, the employee and the employee's immediate supervisor of that action. If the superintendent determines that disciplinary action is warranted against the employee and/or the employee's supervisor, the superintendent will indicate to the complainant that appropriate disciplinary action was taken but shall not divulge the details of the action.
5. If the complainant remains unsatisfied with the disposition of the matter by the superintendent, the complainant will notify the President of the Board in writing regarding the nature of the complaint, the action taken by the superintendent, why the complainant is unsatisfied with the superintendent's action and the resolution sought by the complainant. The superintendent will place the matter on the agenda for the next regularly scheduled Board meeting. The employee or employees in question may choose to have the matter discussed in closed or open session. The superintendent shall invite the employee or employees in question, the employee's immediate supervisor, and the complainant to be in attendance at the Board meeting in order to present facts, make further explanations, clarify

issues and provide additional, pertinent information which may be used by the Board to make a decision relative to the complaint. Individual members of the Board shall not conduct any personal investigation of the matter and the Board shall not consider hearsay or rumor as well as emotional testimony, except as such testimony may relate directly to the facts of the situation. The Board shall conduct the hearing in an equitable and just manner. If a subsequent decision by the Board includes disciplinary action against the employee or employees, the Board shall open the meeting and by majority vote, take action to state their findings and the nature of the disciplinary action. If the Board determines that no disciplinary action is justified, the Board or the superintendent shall, within ten (10) days of the meeting, notify the employee or employees and the complainant in writing of the Board's decision.

6. If a complaint is initially made to either the superintendent or member of the Board, the superintendent or member of the Board will listen courteously but will refer the complainant directly to the employee or the employee's immediate supervisor for potential resolution of the complaint.
7. If a complaint is made directly to the Board as a whole at a meeting of the Board, the Board President will take reasonable action to ensure that an employee's right to confidentiality under the Nevada Open Meeting Law is not violated, will briefly explain that no action can be taken to resolve the complaint during a public meeting and will immediately refer the complainant to the District's complaint procedure.
8. If a written complaint is made directly to the Board as a whole or an individual member of the Board, the Board President shall provide a copy of the written complaint to the superintendent. The superintendent will acknowledge the complaint in writing and will provide an overview of the complaint process and a copy of the complaint policy. No employee of the District nor any member of the Board shall respond to or take any action relative to any type of anonymous complaint.