

EMPLOYEE COMPLAINT

DGBA (LEGAL) &

(LOCAL)

SAN MARCOS CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
EMPLOYEE COMPLAINT/GRIEVANCE

LEVEL ONE – NOTICE OF COMPLAINT/GRIEVANCE TO ADMINISTRATOR

An employee who has a complaint/grievance shall request a conference with the principal or immediate supervisor by submitting the grievance in writing using the “LEVEL ONE – NOTICE OF COMPLAINT/GRIEVANCE TO ADMINISTRATOR” form. The form must be filed within 15 days of the time the employee first knew or should have known of the event or series of events about which the employee is complaining. The Principal or supervisor shall hold a conference within ten business days after receipt of the written request. The principal or supervisor shall have ten business days following the conference within which to respond.

LEVEL TWO – APPEAL TO THE SUPERINTENDENT or DESIGNEE

If the outcome of the conference at Level One is not to the employee’s satisfaction or if the time for a response has expired, the employee may request a conference with the superintendent or designee to discuss the grievance. The request shall be in writing on the “LEVEL TWO - NOTICE OF APPEAL TO THE SUPERINTENDENT” form and must be filed within ten business days following receipt of a written response or, if no written response is received, within ten days of the response deadline. Attach a copy of the original complaint and the Level One decision being appealed. The superintendent or designee shall hold the conference within ten business days after receipt of the written request. The superintendent or designee shall have ten business days following the conference within which to respond.

LEVEL THREE – NOTICE OF APPEAL TO THE BOARD

If the outcome of the conference at Level Two is not to the employee’s satisfaction, or if the time for a response has expired, the employee may request to place the matter on the agenda of a future Board meeting. The request shall be in writing on the “LEVEL THREE - NOTICE OF APPEAL TO THE BOARD” form. The written request for placement on the Board agenda must be filed within ten business days following receipt of a written response or, if no written response is received, within ten business days of the response deadline. The request for placement on the Board agenda must include the following:

- 1) a completed “LEVEL THREE - NOTICE OF APPEAL TO THE BOARD” form
- 2) a copy of the original complaint and of the Level One and Level Two decisions.

The superintendent shall inform the employee of the date, time, and place of the meeting. The procedure for the hearing of the complaint by the Board is included in the attached board Policy DGBA (LEGAL) AND DGBA (LOCAL).

EXHIBIT A
COMPLAINT/GRIEVANCE

EMPLOYEE
DGBA (LEGAL) &

(LOCAL)

LEVEL ONE
NOTICE OF COMPLAINT/GRIEVANCE TO ADMINISTRATOR

Any employee filing a complaint must fill out this form completely and submit it by hand deliver, fax, or U.S. mail to his or her principal or immediate supervisor within the time established in DGBA(LOCAL). All complaints will be processed in accordance with DGBA (LEGAL) and (LOCAL) or any exceptions outlined therein.

Name _____

Address _____

Telephone number (____) _____

1. Position _____ Campus _____

2. If you will be represented in voicing your complaint, please identify the person representing you:

Name: _____

Address: _____

Telephone number: _____

3. Please describe the decision or circumstances causing your complaint (give specific details, continue on reverse side if necessary).

4. What was the date of the decision or circumstance causing your complaint?

5. Please explain how you have been harmed by this decision or circumstance.

6. Please describe any efforts you have made to resolve your complaint informally and the response to your efforts.

7. With whom did you communicate? _____

8. On what date? _____

9. Please describe the outcome or remedy you seek for this complaint.

10. If you are making complaints or charges against any specific individuals, please identify each of those individuals by name:

11. Are you alleging a violation of the Texas Whistleblowers Act?
Yes _____ No _____

12. Are you alleging a violation of policy or law? If so, please identify below:

Complainant, please note:

A complaint form that is incomplete in any material way may be dismissed, but may be refilled with all the required information if the refilling is within the designated time for filing a complaint.

Attach to this form any documents you believe will support the complaint; if unavailable when you submit this form, they may be presented no later than the Level One conference. Please keep a copy of the completed form and any supporting documentation for your records.

Employee's Signature

Date Submitted

Principal's/Supervisor's Signature

Date Received

NOTICE OF APPEAL TO SUPERINTENDENT OR DESIGNEE

This form must be filled out completely by an employee appealing a Level One decision to the superintendent or designee in accordance with the District's policy DGBA (LEGAL) & (LOCAL) or any exceptions outlined therein. Any employee filing a complaint must fill out this form completely and submit it by hand deliver, fax, or U.S. mail to his or her principal or immediate supervisor within the time established in DGBA(LOCAL).

1. Name _____

Address _____

Telephone number (____) _____

2. Position: _____ Campus: _____

3. If you will be represented in pursuing your complaint, please identify the individual or organization representing you.

Name _____ Phone _____

Address _____

Telephone number (____) _____

4. *To whom did you present your complaint at Level One?* _____

Date of the conference _____

Date you received a response to the Level One Conference _____

5. Please explain specifically how you disagree with the outcome at Level One.

6. Attach a copy of your original complaint and any documentation submitted at Level One.

7. Attach a copy of the Level One response being appealed, if applicable.

Employee Signature

Date of Filing

Signature of Employee's Representative

Superintendent's Signature

Date Received

EXHIBIT C

LEVEL THREE APPEAL NOTICE

To appeal a Level Two decision or the lack of a timely response after a Level Two conference, please fill out this form completely and submit it by hand deliver, fax, or U.S. mail to the Superintendent or designee within the time established in DGBA (LOCAL). Appeals will be heard in accordance with DGBA (LEGAL) and (LOCAL) or any exceptions outlined therein.

1. Name _____
2. Address _____
Telephone number (____) _____
3. Position _____ Campus/Department _____
4. If you will be represented in voicing your appeal, please identify the person representing you.
Name _____
Address _____
Telephone number (____) _____
5. To whom did you present your appeal at Level Two? _____
Date of Conference _____
Date you received a response to the Level Two conference _____
6. Please explain specifically how you disagree with the outcome at Level Two.

7. Do you want the Board to hear this appeal in open session? _____

Please be aware that the Texas Open Meetings Act may prevent the Board from granting a request for open session if the grievance involves a complaint against a District employee.

Attach a copy of your original complaint and any documentation submitted at Level One and copy of your Level Two appeal notice.

Attach a copy of the Level Two response being appealed, if applicable.

Employee Signature

Signature of employee's representative

Date of Filing _____