

**Berkeley Unified School District
Office of the Superintendent**

**10.2. Complaint Procedure for Parents, Students, Employees and Residents
Regarding School or District Policy, Procedure, or Practice or District Employees**

This form and process is available for any parent, student, employee or resident who wishes to initiate a complaint against (1) any Berkeley Unified School District policy, practice, or procedure, (2) any school site practice or procedure, or (3) a BUSD employee. The complainant shall attempt to resolve the complaint at Step 1. If not applicable or possible, the complainant may go to the next appropriate step, the employee’s immediate supervisor or principal.

Please write the nature of the complaint. This should be a description in your own words of the grounds of your complaint, including all names, dates and places necessary for a complete understanding of your complaint. Please also try to articulate the remedy you are seeking.

1. A Berkeley Unified School District Policy, Practice or Procedure Complaints regarding district policies, practices or procedures begin at Step 4, i.e. with the District Compliance Officer. (Please see the reverse for all steps.)

Please specify the Policy, Practice or Procedure: _____

2. A site-level practice or procedure _____

Please specify how it was applied: _____

3. District employee: _____

Location: _____

Please write the nature of the complaint. This should be a description in your own words of the grounds of your complaint, including all names, dates, and places necessary for a complete understanding of your complaint as well as any attempts you have made to resolve. You may attach additional pages.

Complainant’s Name _____ Student’s Name _____

Complainant’s Phone Number (including area code) _____ Complainant’s email address _____

Complainants Address, City and Zip Code _____

I certify that the information I have given is true and correct.

Complainant’s Signature _____ Date Signed _____

Step 1: Informal Resolution

Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, you should communicate directly with the employee involved in order to resolve concerns. If you are unable or unwilling to resolve the complaint directly with the employee, you may file a written complaint directly to the principal or immediate supervisor (**Step 2**).

Step 2: Filing a Written Formal Complaint

If the complaint was not resolved informally, you have the right to submit a formal written complaint to the principal or employees' supervisor. If this complaint is against the principal or central office administrator, it should be filed with the District Compliance Officer (DCO)/Title IX Coordinator, at 2020 Bonar St., Room 116, Berkeley, CA 94702. A formal written complaint must include: the name of the employee, policy, procedure or practice involved, a brief but specific summary of the complaint and a description of any prior attempt to resolve the complaint informally (See Page 1 of the complaint form).

Step 3: Site or Department Hearing

The immediate supervisor or principal shall confer with the parties within five (5) school days of receipt of the written complaint. The immediate supervisor or principal shall provide a written response to the parties within five (5) school days from the date of the conference with the parties. If the immediate supervisor or principal's response does not resolve the complaint, then the party may appeal the response with the DCO by signing the request below and delivering this form to the Director of Student Services.

Request for District Resolution of My Complaint

Name _____ Date _____

Step 4: District Hearing

The DCO or his/her designee shall attempt to resolve the complaint to the satisfaction of the person involved within fifteen (15) school days of receiving the appeal. The DCO or his/her designee will communicate their findings and resolution to all parties in writing.

Both the complainant and the employee against whom the complaint was made may appeal the decision from the DCO to the Superintendent or designee by filing a signed copy of the Complaint Form in the Superintendent's office, or by emailing it to superintendent@berkeley.net, and stating the basis for the appeal.

Step 5: Appeal Request for Superintendent or Designee Resolution of My Complaint

Name _____ Date _____

Step 5: Superintendent's Review

The Superintendent or designee shall confer with the parties within five (5) school days of the receipt of the appeal. The Superintendent or designee shall respond to the parties in writing within ten (10) school days of the conference.

If the Superintendent does not resolve the complaint, any party may appeal the Superintendent's decision to the Board of Directors. The request must be made in writing and submitted to both the Board of Directors and Superintendent by filing within twenty (20) school days of the Superintendent's response.

Step 6: Requesting a Board Hearing

The Board may elect to hold a hearing and render a finding or support the finding made at **Step 5** without holding a hearing. The decision of the Board is final and will be communicated to the complainant by the Superintendent.