

THIRD-PARTY COMPLAINTS AGAINST EMPLOYEES

Any parent or guardian of a student enrolled in the Albemarle County Public Schools or any resident of Albemarle County may file a complaint regarding an employee of the Albemarle County School Board (“School Board”). Such complaint will be filed with the Superintendent/~~or his/her~~ designee. ~~If the complaint involves allegations that an employee of the Albemarle County Public Schools has abused or neglected a child in the course of his/her employment, the complaint will be investigated in accordance with Va. Code §§ 63.2-1503, 63.2-1505, and 63.2-1516.1.~~

~~_____The School Board supports site-based management and invests authority in school principals and operational department heads to solve problems at their level of the organization. At any point during the mutual request of the Complainant and Respondent during investigative process, the party responsible for investigation may see the matter may be resolved.~~

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~~Information determined to be unfounded after a reasonable administrative review is not will not be maintained in any employee personnel file, but may be retained in a separate sealed file by the administration if such information alleges civil or criminal offenses. Any dispute over such unfounded information, exclusive of opinions retained in the personnel file, or in a separate sealed file, notwithstanding the provisions of the Government Data Collection and Dissemination Practices Act, Va. Code § 2.2-3800 et. seq., will be settled through the employee grievance procedure as provided in Va. Code §§22.1-306 and 22.1-308 through 22.1-314.~~

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~~_____Individuals lodging a complaint are will be notified in writing that the complaint has been received and is being investigated.~~

The complaint must be filed in writing with the Superintendent’s designee, which will be the department of Human Resources, within thirty (30) calendar days after of the alleged incident. The complainant should provide the nature of the complaint, name and work location of the employee subject to the complaint, and should also include specific times, dates, locations, and witnesses and any relevant documentation. The complaint and should be processed after a within a reasonable period of time, normally within sixty (60) calendar days or less. The Superintendent/designee may authorize extensions with notice, provideding notice to both parties. The Superintendent/designee may deny the investigation of any complaint of an alleged incident occurring more than thirty (30) calendar days in the past after the alleged incident, but may share the complaint with appropriate Complainant and Respondent parties. Complaints regarding former employees of the School Board may be are investigated to the extent that it is possible to do so, with current employees when deemed appropriate.

~~The party responsible for investigation investigator is responsible for communications with the parties, as well. The individual lodging the complaint Complainant and the employee subject to the complain Respondent t are notified in writing that the complaint is received and is/is not being investigated. Complainants are notified that the investigation has concluded. The investigator may determine what the information, if any, will be shared with the Ceomplainant regarding the findings and/or changes made, outcome of the investigation, but will not provide~~

information regarding disciplinary and ~~on~~ personnel actions. The ~~employee~~ Respondent is notified whether the complaint is founded or unfounded and, if founded, of any disciplinary actions that will be imposed.

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Adopted: July 1, 1993
Amended: December 8, 1997; August 9, 2007; August 22, 2013; May 8, 2014
Reviewed: May 27, 2004

Legal Refs.: Code of Virginia, 1950, as amended, §§2.2-3800 et seq., 22.1-70, 22.1-78, 22.1-295.1

Cross References: *AC, Nondiscrimination*
GB, Equal Employment Opportunity/Nondiscrimination
GBA, Prohibition Against Harassment and Retaliation
GBCA, Employee Discipline
GBL, Personnel Records
JB, Equal Educational Opportunities/Nondiscrimination
JHG/GAE, Child Abuse and Neglect Reporting

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