

## **Uniform Complaint Procedure**

Effective Date: 02/03/05

This procedure will be posted in each classroom and on the Agency office's public bulletin boards.

1. The Uniform Complaint Procedure, approved by the Kidango Board of Directors, is incorporated in the Grievance Procedure, Appeal Process, as outlined in the Personnel Policies of Kidango (Section D4, page 13) and applies to employees, prospective employees, families and prospective families. If initial discussion with the appropriate employee does not result in satisfactory resolution, the following steps will apply:

a. Within ten (10) working days from the date of the occurrence of the grievance the aggrieved party shall present in writing his/her grievance to the Executive Director stating the specific reason for his/her dissatisfaction. The Executive Director, or his/her designee, must respond to the written grievance within twenty (20) working days.

b. If the grievance is still unresolved, within twenty (20) working days from the receipt of the Executive Director's written response the aggrieved party may submit a written request for a hearing to the Personnel Committee Chairperson. The grievance hearing will not be open to the public but the aggrieved party requesting the hearing shall be present, as may any other parties requested to be present by the Personnel Committee. At the time the hearing is requested, the aggrieved party may make requests in writing for other parties to be present at the hearing. The Personnel Committee shall schedule the hearing at their sole discretion.

c. Failure of the aggrieved party to appear without just cause acceptable to the Personnel Committee will constitute resolution of the grievance. Within forty-five (45) days of the completion of the hearing, the Personnel Committee shall certify in writing its findings to the Kidango Board of Directors and deliver a copy to the grieving party and the Executive Director. The findings of the Personnel Committee shall be binding to all parties. Such findings shall be final unless a majority of a quorum of the Board of Directors in Closed Session determines that the conduct of the hearing was improper or prejudicial.

d. The aggrieved party may request a hearing before the Kidango Board of Directors by writing to the President of the Board of Directors within ten (10) working days of receipt of the findings of the Personnel Committee. The Board of Directors shall schedule a closed hearing at their sole discretion. The Board of Directors shall at their sole discretion determine who may attend the closed hearing.

e. Failure of the aggrieved party to appear at the hearing before the Board of Directors without just cause acceptable to the Board of Directors will constitute resolution of the grievance. Within forty-five (45) days of the completion of the hearing, the Board of Directors shall issue, in writing, its findings. A copy of the findings shall be delivered to the aggrieved party and the Executive Director. Such findings shall be final and binding to all parties.

f. Hearings conducted by Kidango staff and board members shall be informal and not bound by judicial procedures.

g. The decision of the Kidango Board of Directors shall be deemed final and conclusive and the aggrieved party shall have no further right of appeal or other recourse within the agency **(except as noted in item number 3, listed below)**.

## **Uniform Complaint Procedure for Families and Prospective Families**

**Families and prospective families have additional rights beyond those listed in number 1 above.**

2. The Uniform Complaint Procedure will be included in the Parent Handbook given to every enrolling family. Each family signs for the Parent Handbook upon enrollment.

3. The Uniform Complaint Procedure of Kidango shall be final unless Kidango is in a partnership in the operation of a California Department of Education funded program. In the case of such a partnership, the School District's or other entities' Uniform Complaint Procedure will be used in place of the Kidango Uniform Complaint Procedure for families funded by the contract held by the School District such as Alum Rock Union Elementary School District, New Haven Unified School District, Fremont Unified School District, Ohlone Community College District. All families will receive a written copy of the School District's Uniform Complaint Procedure. The documents will be provided to all families upon enrollment.

4. In addition to enrolled families, the Uniform Complaint Procedure shall be distributed to the Parent Advisory Committees at their first meeting of the year, to the Mental Health Advisory Committee and to the parent representative to the Head Start Parent Policy Council. The Uniform Complaint Procedure shall also be posted on the Kidango web site and updated promptly as required.

5. If any amendments are made to either the Kidango Uniform Complaint Procedure or that of Kidango's partner, the new policy will be distributed by Kidango to families within one month of the change.