

Complaints Against Certificated Fremont Unified District Teachers Association (FUDTA)



This flowchart reflects the complaint process for public complaints against Certificated Fremont Unified District Teachers Association (FUDTA) Bargaining Unit Members (Teachers, Counselors, Nurses, Psychologists, Program Specialists, Speech Language Pathologists, Certificated Librarians, Subs). The complete process can be found in Article 30 of the FUSD/FUDTA Collective Bargaining Agreement. This Complaint Process is not for resolving issues/concerns between unit members of FUDTA. Please see FUSD/FUDTA Collective Bargaining Agreement Article 43 for unit member disagreements processes.

ARTICLE 30

If a complaint is first made known to an administrator, the administrator must report the complaint to the teacher within 3 school calendar workdays. If the complaint is anonymous or the complainant refuses to meet with the employee at any step of the process, no action shall be taken on the matter, unless required by law.

Step I

Complainant meets with employee to work out resolution at a mutually agreeable time, with or without representation.

Step II

If there is no resolution after Step I, the employee's immediate supervisor shall schedule a meeting between the employee and complainant at a mutually agreeable time, to be facilitated by the supervisor. The employee may have union representation. If the complainant refuses to meet with employee, the complaint shall be dropped.

The goal of this step is for the parties involved to collaboratively write a resolution, which shall include the resolution, roles, and responsibilities of those implementing the resolution, as well as a timeline for implementation.

Step III

If the matter is not resolved at the Step II meeting to the satisfaction of the complainant, the complainant shall submit the complaint in writing on the District Appeal Form and submit it to the employee's supervisor within five (5) school calendar workdays. The complaint will be dropped if the appeal is not received within the five (5) school calendar workdays.

After receiving a written appeal, the supervisor shall meet with the employee within five (5) school calendar workdays to review the appeal and prepare responsive comments. The employee may have union representation at this meeting. A written summary of the meeting will be developed and shared with the complainant.

[Article 30 District Complaint Form](#)

Step IV

The complainant or employee may submit a written appeal to the designated District Director within five (5) school calendar days after receiving the Appeal 1 written summary. If no appeal is written, the matter will be dropped. The designated District Director will review the complaint and make a determination to uphold, change, or modify the resolution within fifteen (15) school calendar workdays. Any involved parties may be called or requested to meet with the designated District Director. The employee may request an Association representative to be present at any such meeting(s). A written summary of the meeting will be developed and shared with the complainant.

Step V

The complainant or employee may submit a written appeal to the District Complaint Officer within five (5) school calendar workdays. The Complaint Officer will review the complaint and make a determination to uphold, change, or modify the resolution. The employee will have the option to meet with the Complaint Officer with representation and to present information for consideration. The District Complaint Officer determination will be final.