

1892 **TENTATIVE AGREEMENT**

1893 **ARTICLE XVI16: COMPLAINT PROCEDURE**

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1895 **Section 1.** Complaints involving charges of sexual harassment, crime (whether
1896 misdemeanor or felony), or charges of discrimination are explicitly excluded from
1897 consideration under this Article. Such charges shall be pursued under appropriate laws,
1898 policies and procedures.
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1900 **Section 2.** Complaints by students which fall within the purview of District
1901 Student Grievance Procedures shall be processed and investigated under that procedure
1902 ~~and shall not be subject to the provisions of this Article.~~ Any subsequent disciplinary
1903 action resulting from the Student Grievance Procedures will be discussed with the
1904 ~~Adjunct Faculty Unit~~ Member in a separate meeting and the ~~Adjunct Faculty Unit~~
1905 Member will be given the opportunity to have a ~~union~~ CODAA representative present;
1906 no Unit Member shall be disciplined without just cause.
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1908 **Section 3.** Any complaint about an ~~Adjunct Faculty Unit~~ Member shall be
1909 immediately investigated by the President or designee. If the complaint appears to have
1910 substance, the complaint and the name of the person making the complaint should
1911 generally be provided to the ~~Adjunct Faculty Unit~~ Member within fourteen (14)
1912 calendar days of receipt of the complaint.
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1914 **Section 4.** The complaint and the results of the investigation conducted by the
1915 President or designee shall be put into writing. If the investigation appears to
1916 substantiate the complaint, as soon as possible after such determination has been made,
1917 the President or designee shall meet with the ~~Adjunct Faculty Unit~~ Member to discuss
1918 the issues which seem to be involved. The ~~Adjunct Faculty Unit~~ Member may be
1919 represented by the Association during this meeting.
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1921 **Section 5.** If, after the meeting prescribed in **Section 4**, there appears to be
1922 cause, the person making the complaint shall meet with the President or designee and
1923 the ~~Adjunct Faculty Unit~~ Member in an attempt to further understand the complaint or
1924 to respond to the complaint and reach a settlement. The ~~Adjunct Faculty Unit~~ Member
1925 may be represented by ~~the Association~~ CODAA during this meeting.
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1927 **Section 6.** If the complaint cannot be settled to the satisfaction of all parties
1928 during the meeting provided for in **Section 5**, the ~~Adjunct Faculty Unit~~ Member may
1929 prepare a written response to the complaint. The response shall be attached to the
1930 complaint.
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1932 The complaint and the ~~Adjunct Faculty Unit~~ Member's response shall be placed
1933 in the ~~Adjunct Faculty Unit~~ Member's Personnel file.
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1935 **Section 7.** At any point at which the complaint is judged to be untrue or
1936 unsubstantiated, all records of the complaint shall be removed from the personnel file.
1937

1938 TA: 06/06/24

1939 CL: CL

1940 DG: 

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