



QUALITY ASSURANCE OFFICE

FOCUS

The San Diego Unified School District encourages families, students, employees and the community to resolve problems or concerns collaboratively. This may include a personal conference, a telephone conversation, or a written communication with the parties involved. With our knowledge of District Policies, Procedures, the California Education Code and other relevant state and federal laws, the Quality Assurance Office collaborates with students and their families, staff, and community members to address inquiries, concerns and complaints in a neutral and timely manner in support of Vision 2020 and a quality school in every neighborhood.

OBJECTIVES

We at the Quality Assurance Office recognize the value of and are committed to promoting and cultivating a positive, proactive approach in acting as a central resource and liaison for students and their families, staff, and community members to address a wide variety of inquiries, concerns and complaints related to the educational programs and functions of the San Diego Unified School District. We do so by:

- Treating all families, staff and community members with dignity and respect
- Promptly addressing concerns and complaints
- Facilitating resolution of concerns and complaints in a timely and objective manner
- Identifying areas and trends in the District where improvement is needed
- Promoting partnerships that foster and build a culture of student achievement, and ethical behavior, in support of the District's Vision 2020 and a quality school in every neighborhood

CONCERN AND COMPLAINT PROCESS AND INVESTIGATION PROTOCOL

The Quality Assurance Office (QAO) was established to facilitate the process for our stakeholders to voice their concerns or file a complaint when they believe there is a violation of District policy, procedure or statute. The purpose of this protocol is to create a simple and effective way for stakeholders to voice concerns or file a complaint after exhausting all attempts for conflict resolution at the site level. The QAO will provide an effective documentation system to direct and track the actions taken by the District from receipt of the concern/complaint through completion of the investigation process and resolution.

- All problems or concerns should first be directed to the individual(s) involved in an attempt to resolve differences at the lowest level.
- If the problem or concern is unresolved, it is essential that the site supervisor or principal be included in the process.
- If the problem or concern **cannot** be resolved with the site supervisor or principal, you may address your concern with the Quality Assurance Office.

Parents, students, staff and the community may register their concern or complaint with the QAO in person, by phone or in writing. All concerns and complaints registered with the QAO will be recorded in our database for quality assurance. The information recorded will contain the following:

Date concern/complaint was filed
Name of the complainant
Name of victim (if applicable)
Name of the subject of the complaint
Brief statement of the issue
Department/staff member handling the concern/complaint
Brief summary of the outcome

It is the intention of the QAO to comply with all existing procedure and contractual obligations regarding collective bargaining agreements and the grievance and complaint provisions contained within.

CONCERNS

A concern indicates a level of dissatisfaction in regard to a person or service within the organization and a request for information and/or resolution. Taking concerns seriously

at the earliest stage will reduce the numbers that would develop into formal complaints.

COMPLAINTS

A complaint is a formal request to investigate allegations of non-compliance with District policy, procedure or statute. A formal complaint is a written statement, signed and verified under the penalty of perjury, by a complainant on forms provided by the District which alleges a specific violation, by a District employee, of a District policy, procedure or statute.

CONCERN PROCESS

All concerns will be reviewed by the QAO Operation Specialist for potential assignment to a Parent Support Liaison. The Parent Support Liaisons are trained and experienced in supporting families and District staff through their knowledge of the District's programs, policies, procedures and the California Education Code. This process ensures that concerns are addressed at the lowest possible level before they escalate to a formal complaint.

Upon receipt of a concern, the Parent Support Liaison will do the following:

- Send notification to the principal or appropriate department manager/supervisor advising of the concern. Please note that the notification will include a request for a written response within five (5) days of receipt of the notice, detailing the steps or follow-up taken to address and resolve the concern. An extension beyond this time period may be requested in writing.
- Failure by the principal or department manager/supervisor to provide a timely response may result in the QAO contacting the next level supervisor for resolution of the concern.
- Upon receipt of the principal or department manager/supervisor's written response to the concern, the Parent Support Liaison will notify the concerned party of the outcome including any appropriate or corrective measure that was taken, to the extent permitted by law.
- If the reporting party is not satisfied, the Parent Support Liaison will continue to work with the principal or department manager/supervisor until the concern is resolved as appropriate.

- Concerns which allege violation of a collective bargaining agreement will be referred to the appropriate site supervisor and the complainant will be redirected to the grievance process. Lodging a concern with QAO will not constitute filing of a grievance for purposes of meeting the deadlines in the applicable collective bargaining agreement.

COMPLAINT PROCESS

Parents, students, staff or community members may contact the QAO to file a complaint. Not all complaints will require a formal investigation. Depending on the nature of the complaint, sometimes an informal and prompt inquiry provides the stakeholder all the information needed to accept the conclusion and resolution of their complaint. For example:

- Misunderstanding of District policy or procedure.
- Lack of communication between parties (parent and school site, manager and subordinate or employee to employee).
- When the complainant is amenable to an informal resolution.

A formal complaint is a written statement, signed and verified under the penalty of perjury, by a complainant on forms provided by the District which alleges a specific violation, by a District employee, of a District policy, procedure or statute. Any complaint which does not meet the definition of a formal complaint shall be considered an informal complaint with resolution being attained at the lowest possible level.

Complaints requiring an investigation will be processed and investigated in accordance with the relevant District policy or procedure and collective negotiations contract.

Depending on the nature of the complaint, investigations may remain in the QAO or referred to the appropriate site administrator, manager/supervisor for investigation.

The tracking and monitoring of all complaints will remain in the QAO through completion of the investigation process. The QAO will be responsible for notifying the complainant in writing upon completion of the investigation and where appropriate, the outcome and actions taken by the District to the extent permitted by law.

District personnel are mandated child abuse reporters under California law. If an allegation of suspected child abuse arises, as required by law and in accordance with Administrative Procedure 6370, a report shall be filed with the San Diego Police Department or the San Diego County Health and Human Services Agency (HHSA)

Children's Services Child Abuse Hotline. Once a complaint of child abuse is confirmed, the law enforcement agency will send a report to the governing school board that oversees the school where the abuse occurred.

When credible allegations arise that threaten students, staff or workplace safety, the QAO will immediately contact School Police Services. The appropriate department/site and/or administrator/supervisor will also be notified to determine whether the veracity of the allegations (whether the alleged perpetrator needs to be removed from the site).

Complaints of alleged student- to- student bullying, harassment or intimidation will be promptly processed and investigated in accordance with Administrative Procedure 6381.

Complaints of alleged bullying, harassment or intimidation initiated by adults, will be investigated in accordance with Administrative Procedure 9430.

A complaint or request for an investigation should include the following information:

- Who is involved?
- What is the allegation?
- When did the incident take place?
- Where did the incident take place? Single event or multiple events?
- How it happened
- Were there witnesses? Who?

This information will assist the QAO to determine whether the allegation warrants a criminal or administrative investigation.

As with concerns, complaints which allege violation of a collective bargaining agreement will be referred to the appropriate site supervisor and the complainant will be redirected to the grievance process. Filing a complaint with QAO will not constitute the filing of a grievance for purposes of meeting the deadlines in the applicable collective bargaining agreement.

Administrative vs. Criminal Investigations

An administrative investigation is conducted to determine whether the subject of the investigation has violated District policy procedure or statute. If the subject of the investigation is a District employee, this process provides the employee with his/her due

process rights. The purpose of an administrative investigation is to determine whether corrective or disciplinary actions should be taken by the District.

A criminal investigation is conducted by a **law enforcement agency** to determine whether a law(s) has been violated, and may result in formal charges being filed against the alleged perpetrator.

In cases where a criminal investigation is being launched against a District employee, the District may also conduct an administrative investigation into the allegations of employee misconduct. The QAO will confirm with law enforcement that an administrative investigation **will not** interfere with their investigation.

If the allegation reported warrants an administrative investigation, the QAO will advise the complaining party of the process for filing a complaint and will provide the corresponding complaint form.

The following are examples of formal complaints:

- Student-to-Student Bullying, Harassment and Intimidation Policy – AP 6381.
- Uniform Complaints – AP 1700 – A Uniform Complaint is a special statutory complaint which can be utilized for alleged illegal student fee complaints, or complaints for or alleged violations of federal or state law or regulation governing educational programs including bullying, harassment or discrimination on the basis of a protected class.
- Employee Complaint Alleging Harassment or Discrimination – AP 7110
 - **Only** if the act is on the basis of a protected class
- Citizen Complaint against an Employee – AP 9430

Once a written complaint is received in the QAO it will be date stamped and logged for quality assurance and monitoring. A timely evaluation of the complaint will be conducted by the Executive Director or designee to determine if there is sufficient information charging a violation of District policy, procedure or statute.

The QAO will send written notification to the complainant within ten (10) working days of receipt of the complaint advising the following:

- The complaint does not meet the criteria to warrant an investigation or lack specificity of a possible violation of District policy, procedure or statute. This notification may inform the complainant of other avenues for redress, as appropriate. A sample letter is attached as **Exhibit 1**
- Or
- The complaint is being assigned/referred for investigation. If the allegation is within the purview of the QAO the case will be assigned to an investigator. A sample letter is attached as **Exhibit 2**
 - All other complaints that are not under the purview of the Quality Assurance Office (for example Uniform Complaints, Compensation/Liability claims, Workers' Compensation, Fraud, Waste and Abuse Sexual harassment and Discrimination on the basis of a protected class) and labor grievances, will be referred to the appropriate department or site administrator for investigation and resolution. These will be logged in the QAO database and referred to the appropriate department for resolution. The appropriate department will be responsible for the investigation and notification of resolution to the relevant parties. A sample referral notification letter is attached as **Exhibit 3**. A sample department referral memo is attached as **Exhibit 4**.

QAO INVESTIGATION PROTOCOL

Administrative or "internal" investigations are conducted when allegations arise that the subject of the investigation has violated District policy or procedure, ethics code or a state or federal statute.

The QAO will keep the complaint and allegation confidential, except to carry out the investigation or take other necessary action.

Investigations are objective, comprehensive, and in-depth, fact finding endeavors to determine if, or to what degree, the action(s) occurred and will determine whether the allegation is substantiated.

Investigations involve obtaining, reviewing and analyzing District records to include hard copy and electronic personnel and student files, to determine if the subject has a prior record of discipline or complaints.

The investigation will also include interviews with the complainant or victim(s), the subject of the investigation, witnesses, and other involved parties with information relevant to the complaint. Each interview will be conducted separately and in a private

room in order to preserve confidentiality and integrity of the investigation. Interviews will be conducted in person unless an in-person interview would be impracticable or cause delay. Any District employee covered by a collective bargaining agreement will be notified of his/her rights to representation during the investigatory interview.

All parties involved, including the complainant, the subject of the investigation and witnesses, will be informed of their obligation to maintain confidentiality of the allegations and the information discussed during the interview. The investigator will also inform each party that failure to maintain confidentiality may result in discipline or civil liability. Where appropriate, the parties will be presented with the District's prohibition against retaliation and duty to maintain confidentiality form, attached as **Exhibit 5**.

The length and detail of an investigation will depend on the circumstances and nature of the complaint. Every effort will be made to conduct investigations in a timely manner and within timelines required by District procedure and law.

Once the investigation is completed, the investigator will conduct a complete and thorough analysis of the facts, statements and evidence collected to be compiled in a file to produce a comprehensive report. The investigative findings will be provided to the appropriate department and/or site administrator/supervisor to determine whether corrective or disciplinary actions should be taken by the District. Any corrective or disciplinary actions taken against an employee will be in accordance with the terms of the applicable collective bargaining agreement.

The Quality Assurance Office will provide written notification to all relevant parties, of the conclusion of the investigation and where appropriate, the outcome of the investigation to the extent permitted by law. (Privacy and Confidentiality Laws prohibit disclosure of investigative findings involving employee matters and non-directory student information). A sample letter of notification is attached as **Exhibit 6**.

INVESTIGATIONS INVOLVING STUDENTS

Investigations involving students will be handled in accordance with the relevant District procedure.

A complainant's refusal to provide the District's investigator with documents or evidence related to allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in dismissal of the complaint due to a lack of evidence to support the allegation.

- The investigation may include review of student records/files.
- The investigation may include interviews with individuals who have information relevant to the investigation, including but not limited to, the subject of the complaint and, where appropriate, his or her parents/guardians, the person accused, and where appropriate, his or her parents/guardians, and witnesses identified as having relevant information.
- At the conclusion of the investigation the Quality Assurance Office will prepare a written report detailing the following:
 - The findings of fact based on evidence gathered
 - Rationale for conclusion
 - Actions taken by the District if any are warranted

INVESTIGATIONS INVOLVING DISTRICT EMPLOYEES

Since most investigations involve allegations of personal or professional wrongdoing or misconduct, it is critically important to protect the integrity of the investigation and the rights of **all** involved. Complainants, the subject of the investigation and witnesses have privacy rights and **all** should be protected from retaliation. Therefore, the investigator will not disclose information regarding respondents, complainants or witnesses to individuals who do not have a “need to know.”

Despite privacy and confidentiality laws, the investigator cannot promise anonymity to any of the involved parties. The investigator may assure the parties involved that protection of their identity, and the information they provide, will be maintained within the legitimate needs of the law and the investigation. Best practices in protecting privacy/confidentiality rights include:

- Proper identification of the subject(s).
- Avoiding use of e-mail during the investigation.
- Ensuring that the confidentiality of documents (hard copy and electronic) is maintained.
- Avoiding discussion of the investigation except when necessary to solicit information from parties, witnesses and professional consultation (Legal).

Upon receipt of a complaint and depending on the nature of the complaint, the

investigator may do the following:

Step 1: Contact with the complainant

- If the complaint lacks specificity, the investigator may request an interview with the complainant to understand the nature of the complaint and to obtain further information such as names of potential witnesses or other parties involved.
 - The investigator will inform the complainant of the process for the investigation and of their duty to maintain confidentiality. The investigator will also inform the complainant that confidentiality laws prohibit disclosure of information and investigative findings related to employee investigations and non-directory student information. Where appropriate, the complainant will be provided with the District's policy prohibiting retaliation and their duty to maintain confidentiality. Refer to **Exhibit 5**.

Step 2: Contact with the subject of the investigation

- The investigator will send written notification to the employee advising of the investigation and of the allegations. For example, a notification would state, "This is to inform you I am conducting a confidential investigation in response to a complaint filed against you by X alleging bullying or harassment." This notification will include a request for a meeting with the employee to provide him/her an opportunity to respond to the allegation(s) and of his/her right to union representation. A sample notification is attached as **Exhibit 7**.
- If the employee is a member of a bargaining unit, "Weingarten" rights apply. "Weingarten Rights" guarantee an employee represented by a collective bargaining unit the right to union representation during an investigatory interview. Refer to **Exhibit 8**.
- If the employee is not a member of a bargaining unit, there is no right to union representation. However the non-represented employee can bring their own counsel or representative.

Step 3: Interviews

- During the interview the investigator will do the following:

- If the investigator chooses to record the interview, he/she must obtain consent from all the parties. Failure to obtain such consent is a criminal offense. Interviews shall not be recorded if prohibited by an applicable collective bargaining agreement.
- Properly identifies the employee with a District issued identification card or state issued identification card/license.
- Informs the employee of the specific allegations.
- Explains to the employee the investigation process.
- Provide the employee/witness written notification of the District's policy prohibiting retaliation and their duty to maintain confidentiality. The notification shall state,

“The investigation of complaints is a serious matter. Your full cooperation is necessary and expected. You are required to provide full and honest answers. In order to protect the integrity of the investigation, do not discuss the contents of your investigative interview with anyone else. You are to keep any information you may learn during the course of the interview confidential. Failure to maintain confidentiality may result in discipline. Pursuant to District policy and procedure, and state and federal law, no District employee shall retaliate against any District office or employee, or applicant for District employment who files a complaint or participates as a witness during the course of an investigation. If you feel you are the victim of retaliation, please contact the Quality Assurance Office at (619) 725-7211.” A copy of the notification is attached **Exhibit 5**.

If the employee refuses to answer questions, the investigator will provide the employee what is commonly referred to as the “Lybarger Warning.” The warning shall state,

“I want to inform you that this is not a criminal proceeding. This is an employee investigation being conducted by the District. Any statement you make during this interview

cannot be used against you in any subsequent criminal proceeding. You have a right to remain silent and not incriminate yourself. Your silence or refusal to answer the questions, however, may be deemed as insubordination, leading to administrative discipline up to and including termination. Therefore, you are being directed to answer the questions. If you refuse to answer, that would constitute insubordination.” A copy of the Lybarger warning is attached as **Exhibit 9**.

- The investigator will provide the employee an opportunity to provide a written response which answers the complaint. The written response may also contain counter allegations. The written response does not need to be verified under penalty of perjury.
- The employee will have an opportunity to identify the names of witnesses with information relevant to the investigation.
- In certain circumstances, the investigator may need to conduct a follow-up interview with the employee. If the employee is represented, contact shall be made with the representative.

Step 4: Witnesses including District employees:

- The investigator will send written notification advising the person that s/he has been identified as a witness in a confidential investigation. The notification will include a request for a meeting, for example, “This is to inform you I am conducting a confidential investigation. You are not the subject of the investigation; however, X party has identified you as a witness with information relevant to the investigation. In order to facilitate completion of the investigation, it is crucial that I meet with you to discuss the matter. Please do not discuss this matter with anyone as it is an ongoing confidential investigation.” A sample notification is attached as **Exhibit 10**.
- If the witness is a District employee and s/he makes a request to bring a representative, unless the interview may lead to discipline, the witness has no

right to representation. The investigator will inform the witness that s/he is not the subject of the investigation and that the law protects them from retaliation. The employee may be allowed to have a representative during the interview in the interest of obtaining cooperation from the witness. In such cases, the representative needs to agree in advance to maintain confidentiality and to allow the employee to respond to the questions or provide information relevant to the investigation.

Step 5: Writing the investigative report

At the conclusion of the investigation, the investigator will conduct a review of all the testimony and evidence obtained during the investigation to be compiled in a comprehensive confidential report. The report will include all material evidence, whether or not it supports the investigator's conclusions.

A comprehensive investigative report will contain the following information:

- Scope of the investigation
- Name of complainant
- Name of the party or parties of interest
- Summary of the allegations
- Response to the allegations
- Summary of the evidence, including witness testimony
- Copies of documents/evidence
- Written statements
- Findings of fact and Conclusion

CLOSING MATTERS

The QAO will distribute a copy of the report to the relevant District department and/or site administrator/supervisor for review of facts presented in order to determine the corrective or follow-up action required to resolve the matter. Any corrective or disciplinary actions taken against an employee will be referred to the appropriate District personnel to be handled in accordance with the terms of the applicable collective bargaining agreement.

The QAO will provide written notification to all relevant parties, of the conclusion of the investigation and, where appropriate, the outcome of the investigation, to the extent permitted by law.



EXHIBIT 1

Date

Name
Address

Re:

Dear:

This letter acknowledges receipt of your formal complaint of (Insert type) against (insert name of party) pursuant to Administrative Procedure (insert procedure.)

After a thorough review of the information you provided, we are not able to proceed with your complaint for the following reason(s):

In order to proceed with your complaint please provide the following:

Feel free to contact the undersigned with any questions regarding this matter.

Sincerely,

Name



EXHIBIT 2

Date

Name
Address

Re:

Dear:

This letter acknowledges receipt of your formal complaint of (Insert type) against (insert name of party) pursuant to Administrative Procedure (insert procedure.)

Your complaint is being assigned to (insert investigator's name.) You may be contacted by the investigator to present further information or details relevant to your complaint.

Please refrain from discussing the investigation with others as this is a confidential matter. We advise individuals connected with this case to refrain from doing anything that may be construed as retaliation against the complainant or any witnesses involved in the investigation. You will be notified upon completion of the investigation.

Please contact me should you have any questions regarding this matter.

Sincerely,

Name

c: File
Investigator



EXHIBIT 3

Date

Name
Address

Re:

Dear:

This letter acknowledges receipt of your formal complaint of (Insert type) against (insert name of party) pursuant to Administrative Procedure (insert procedure.)

Your complaint is being referred to (insert department) for investigation. You may be contacted by this department to provide further information or details relevant to your complaint.

Please refrain from discussing the investigation with others as this is a confidential matter. We advise individuals connected with this case to refrain from doing anything that may be construed as retaliation against the complainant or any witnesses involved in the investigation.

We will notify you upon completion of the investigation.

Please contact the undersigned with any questions regarding this matter.

Sincerely,

Name

C: File
Department



EXHIBIT 4

MEMO TO:

FROM:

DATE:

SUBJECT: FORMAL COMPLAINT

The attached complaint from (insert name of complainant) alleging (insert) is being referred to you (name of department) for investigation. The complainant has been notified of this referral.

Within thirty (30) calendar days, please provide the Quality Assurance Office a written response detailing the findings of the investigation and any follow up or corrective action taken. An extension beyond this period should be requested in writing to the Executive Director in the Quality Assurance Office specifying the reason for the extension.

After we receive your response, the Quality Assurance Office will notify the complainant of the conclusion of the investigation and the findings to the extent permitted by law.

We advise individuals connected with this case to refrain from doing anything that may be construed as retaliation against the complainant or any witness involved in the investigation.

Please contact me with any questions or concerns.



EXHIBIT 5

**SAN DIEGO UNIFIED SCHOOL DISTRICT
PROHIBITION AGAINST RETALIATION
AND
DUTY TO MAINTAIN CONFIDENTIALITY**

The San Diego Unified School District is authorized to investigate complaints that are filed against the District and/or its officers, employees or departments.

In order to investigate issues raised in complaints, the Quality Assurance Office is authorized to interview all necessary parties. Please be aware that:

The investigation of complaints is a serious matter.
Your full cooperation is necessary and expected.
You are required to provide full and honest answers.

In order to protect the integrity of the investigation, do not discuss the contents of your investigative interview with anyone else. You are to keep any information you may learn during the course of the interview confidential. Failure to maintain confidentiality may result in discipline.

Pursuant to District policy and procedure, and state and federal law, no District employee shall retaliate against another District employee, or applicant for District employment who files a complaint or participates as a witness during the course of an investigation. If you feel you are the victim of retaliation, please contact the Quality Assurance Office at (619) 725-7211.

The signatures below signify that the investigator has communicated the above statement to the witness (via this document) and that the witness has read the statement.

Name of Witness:
(Print): _____ (Sign): _____ Date: _____

Name of Investigator:
(Print): _____ (Sign): _____ Date: _____



EXHIBIT 6

Date

Name
Address

Re:

Dear:

This is to inform you the investigation in the above referenced matter has been completed.

Because the investigation involves a (employee/student) confidentiality laws prevent disclosure of the findings. However, please be assured that the safety and well-being of our (students/staff) is our top priority (if applicable).

As you are aware, retaliation is prohibited by State and Federal law. Therefore, we advise individuals connected with this case to refrain from doing anything that may be construed as retaliation against the complainant or any witnesses involved in the investigation.

Thank you for bringing this matter to our attention. Please contact me with any questions regarding this matter.

Sincerely,

Name

c: File



EXHIBIT 7

Date

Name
Address

Re:

Dear:

This is to inform you that I am conducting a confidential investigation in response to a complaint filed against you by (insert name) alleging (insert allegation)

In order to facilitate completion of the investigation I need to meet with you to discuss this matter. You are entitled, if you wish, to bring a union representative to this meeting. Please contact me at your earliest opportunity to schedule a meeting.

Please refrain from discussing this matter with others, with the exception of your representative, as this is an ongoing confidential investigation. We advise individuals connected with this case to refrain from doing anything that may be construed as retaliation against the complainant or any witnesses involved in the investigation.

Please contact me with any questions regarding this matter.

Sincerely,

c: File



EXHIBIT 8

WEINGARTEN RIGHTS

In 1975 the [United States Supreme Court](#), in the case of [NLRB v. J. Weingarten, Inc.](#), 420 [U.S. 251](#) (1975), upheld a [National Labor Relations Board](#) (NLRB) decision that employees have a right to union representation at investigatory interviews. These rights have become known as the **Weingarten Rights**.

The Supreme Court ruled that during an investigatory interview, the following rules apply:

Rule 1: The employee must make a clear request for union representation before or during the interview. The employee cannot be punished for making this request.

Rule 2: After the employee makes the request, the employer must choose from among three options:

- grant the request and delay questioning until the union representative arrives and (prior to the interview continuing) the representative has a chance to consult privately with the employee;
- deny the request and end the interview immediately; or
- give the employee a clear choice between having the interview without representation, or ending the interview.

Rule 3: If the employer denies the request for union representation, and continues to ask questions, it commits an [unfair labor practice](#) and the employee has a right to refuse to answer. The employer may not discipline the employee for such a refusal.



EXHIBIT 9

LYBARGER WARNING

This is an employee investigation being conducted by the District. Any statement you make during this interview cannot be used against you in any subsequent criminal proceeding. You have the right to remain silent and not incriminate yourself.

Your silence or refusal to answer the questions being asked may be deemed insubordination, leading to administrative discipline up to and including termination. Therefore, I am directing you to answer the questions. If you refuse to answer, that would constitute insubordination.



EXHIBIT 10

Date

Name
Address

Re:

Dear:

This is to inform you I am conducting a confidential investigation. You are not the subject of the investigation; however, (X) has identified you as a witness with information relevant to the investigation.

In order to facilitate completion of the investigation, it is crucial that I meet with you to discuss this matter. Please contact me at your earliest opportunity to schedule a meeting.

Please do not disclose this matter to anyone as it is an ongoing confidential matter. We advise individuals connected with this case to refrain from doing anything that may be construed as retaliation against the complainant or any witnesses involved in the investigation.

Feel free to contact me should you have any questions or concerns.

Sincerely,

Name

c: File