

COMMUNITY RELATIONS

4120

Uniform Grievance Procedure

It is the Board's desire that administrative procedures for settling complaints and grievances of any and all persons (i.e., staff, students, patrons, hereinafter "Grievant") be an orderly process within which solutions may be pursued. Further, that the procedure provide prompt and equitable resolution at the lowest possible administrative level. Additionally, it is the Board's desire that each grievant be assured an opportunity for orderly presentation and review of complaints without fear of reprisal.

Grievance Procedure

This grievance procedure should be followed if a grievant believes that the Board, its employees or agents have violated the grievant's rights guaranteed by the State or federal constitutions, State or federal statutes, or Board policy.

If the negotiated agreement between the Board and the teachers' association provides a grievance or complaint procedure that applies to the situation, that grievance or complaint procedure shall be followed.

The District will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. Every effort should be taken to resolve issues before they reach the Board level. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Level 1: Informal: A grievant with a complaint is encouraged to first discuss it with the teacher, counselor, or building administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment.

Level 2: Principal: If the complaint is not resolved at Level 1, the grievant may file a written grievance stating:

1. The nature of the grievance; and
2. The remedy requested.

It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the principal within 60 days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the principal shall investigate and attempt to resolve the complaint. If either party is not satisfied with the principal's decision, the grievance may be advanced to Level 3 by requesting in writing that the Superintendent review the principal's decision. This request must be submitted to the Superintendent within 15 days of the principal's decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the principal shall turn the complaint over to the Nondiscrimination Coordinator, the Superintendent, who shall investigate the complaint. The District has appointed a Nondiscrimination Coordinator to assist in the handling of discrimination complaints.

The director will explain District policy, attempt to answer any and all questions, attempt to resolve any grievance with the aggrieved party, and complete the investigation and file the report within 30 days after receipt of the written grievance. The director may hire an outside investigator if necessary. If either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within 15 days of receiving the report of the director to the civil rights committee.

The grievance committee chair, District secretary, will arrange for an informal hearing by the civil rights grievance committee within ten school days upon request of the aggrieved party. A written copy of the procedures taken in already will be available for the informal hearing. The committee chair will inform the aggrieved party of its recommendation within five school days.

If the grievance is not resolved in by the grievance committee, either party may file a written grievance with the Chair of the Board of Trustees. The Chair shall call for a hearing, conducted by the Members of the Board, within 10 school days.

A written copy of the procedures taken already will be sent to all parties concerned. After conducting a hearing, the Board will render a decision within 30 calendar days after the appeal was filed. All parties will be notified of the decision.

Level 3: Superintendent: Upon receipt of the request for review, the Superintendent shall schedule a meeting between the parties and the principal. The parties shall be afforded the opportunity to either dispute or concur with the principal's report. The Superintendent shall decide the matter within ten days of the meeting and shall notify the parties in writing of the decision. If the Superintendent agrees with the recommendation of the principal, the recommendation will be implemented. If the Superintendent rejects the recommendation of the principal, the matter may either be referred to an outside investigator for further review or resolved by the Superintendent.

If either party is not satisfied with the decision of the Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within 15 days of receiving the Superintendent's decision. The Board is the policy-making body of the school, however, and appeals to that level must be based solely on whether or not policy has been followed. Any

individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Level 4: The Board: Upon receipt of a written appeal of the decision of the Superintendent, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within 30 days of that meeting. The decision of the Board will be final.

Policy History:

Adopted on: November 2016

Revised on: