

UNIFORM GRIEVANCE PROCEDURE COMMUNITY

All individuals should use this grievance procedure, if they believe that the Board or its employees or agents have violated their rights guaranteed by the state or federal Constitution, state or federal statute, or Board policy.

Provisions governing the grievance procedures employees should follow may be found in negotiated agreements and/or in employee handbooks.

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. The right of a person to prompt and equitable resolution of a complaint filed hereunder will 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.

Informal:

An individual having 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 not involved in the alleged harassment.

Level 1: Principal

If the complaint is not resolved informally, the grievant may file a signed and dated written grievance stating the nature of the grievance and the remedy requested. The written grievance must be filed with the principal within thirty (30) days of the event or incident or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges violation of Board policy or procedure, the principal will investigate and attempt to resolve the complaint. If either party is dissatisfied with the principal's decision, the grievance may be advanced to Level 2 by requesting in writing that the Superintendent review the principal's decision. This request must be submitted to the Superintendent within fifteen (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 will turn the complaint over to the appropriate Central Office Administrator who will investigate the complaint. The Central Office Administrator will complete the investigation and respond to the parties within thirty (30) days after receipt of a written grievance. The Central Office may hire an outside investigator if necessary.

If the grievant is not satisfied with the recommendations from Level 1, he may make a written appeal to the Superintendent, within fifteen (15) days of receiving the recommendations.

Level 2: Superintendent

On receipt of a request for review, the Superintendent shall schedule a meeting between the parties. The parties will be afforded opportunity to either dispute or concur with the Level 1 report. The Superintendent will decide the matter within ten (10) days of the meeting and will notify the parties in writing of the decision. If the Superintendent agrees with the Level 1 report, the recommendation will be implemented. If the Superintendent rejects the Level 1 report, the matter may either be referred to an outside investigator for further review or be resolved by the Superintendent.

If the grievant is dissatisfied with the Superintendent's decision, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within fifteen (15) days of receiving the Superintendent's decision. Because the Board is the policy-making body of the District, any appeal 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 3: The Board

On receipt of a written appeal of a decision of the Superintendent, and assuming the appeal alleges a failure to follow Board policy, the matter will be placed on the agenda of the Board for consideration not later than its next regularly scheduled meeting. A decision shall be made and reported in writing to all parties as soon as possible. The decision of the Board will be final, unless appealed within the period provided by law.

Level 4: County Superintendent

If a matter falls within the jurisdiction of the county superintendent of schools, the decision of the Board may be appealed to the county superintendent by filing a written appeal within thirty (30) days of the Board's decision, pursuant to the Rules of School Controversy.