STAFF COMPLAINTS AND GRIEVANCES

Any employee of the school district shall have the right to appeal the application of personnel policies and administrative decisions concerning same affecting him or her except Sections GA. In presenting an appeal with respect to a personal grievance, the employee shall be assured freedom from restraint, interference, coercion, discrimination or reprisal. All grievances shall be handled expeditiously.

A grievance shall mean a claim by an employee of a personal loss or injury resulting from an alleged violation, misapplication or misinterpretation of the statutes, board policies, rules or regulations under which the employee works, specifying that which is claimed to be violated, the specifics of the violation, and the proposed remedy. The Superintendent is authorized to prepare an appropriate form for the purpose of filing a grievance. The term grievance shall not apply to any matter for which the method of review is prescribed by law or the Board is without authority to act.

When a collective bargaining agreement exists between the Board and an employee group, the grievance procedures of the agreement shall be the sole avenue for members of that group to claim a grievance.

All other grievances, including those under Title IX of the Education Amendments of 1972 and the section 504 of the Rehabilitation Act of 1973, shall be handled according to the following procedures.

In the process established below, the following representation and assistance may be utilized by the employee if he so desires, at each level as stipulated.

Level 1: Employee only

Level 2: Employee must present the grievance, but may be accompanied by a fellow employee

Level 3: Employee may be represented by others, but must be present

Level 4: Employee may be represented by anyone of his choosing and employee must be present

The employee shall indicate with the filing of a grievance at each level who will accompany or represent them in any of the meetings conducted.

All decisions rendered at all levels shall be in writing setting forth the decision and shall be transmitted promptly to all parties involved, except at Level 1 where no written record is maintained.
All meetings under this procedure shall be conducted in private and shall include only those parties in interest and their designated or selected representatives.

Grievance shall be processed in a manner which does not interfere with the employee’s work and the normal operation of the school.

Level 1: Any grievant who has a grievance shall first discuss it with the building administrator or immediate supervisor.

Level 2: If as a result of the informal discussion the matter is not resolved, the grievant shall initiate a grievance in writing within 5 school days of the occurrence giving the full details of the grievance, and file the grievance with the building administrator.

The grievance shall be filed on the prescribed form and signed by the employee. In the event the grievance is not filed timely, it shall be considered null and void. Within 10 school days after the grievance is lodged, unless extended by mutual agreement, the building administrator shall render a decision in writing to the appropriate parties.

Level 3: If the grievance is not resolved, the grievant may, no later than 5 school days after receipt of the above decision, appeal to the Superintendent of Schools. The appeal shall be in writing on the prescribed form and signed by the grievant. The Superintendent may choose to: review all written decisions and notes of previous meetings and issue a written decision within 7 school days to all parties, or conduct a meeting with all persons who participated in the previous step, and issue a written statement to all parties within 10 school days.

Level 4: If the grievance is not resolved, the grievant may, no later than 5 school days after receipt of the Superintendent’s decision, request a review by the school board. The request for the review shall be in writing on the prescribed form and signed by the grievant, and shall be submitted through the Superintendent of Schools who shall present the grievance to the school board. Within 20 school days, the school board shall: review the written decisions and notes of previous meetings and issue a decision to all parties, or conduct a meeting with all persons who participated in Level 3 and issue a decision to all parties concerned within 10 school days of such meeting.

The decision of the school board shall be final, and should the employee so choose further redress may be sought through the courts.