

## **Concerns/Complaints/Grievances (Grievance Procedure)**

### **Employee grievance procedure**

The employee may choose a person to assist him or her at any step of the grievance procedure. Any costs resulting from such assistance shall be the employee's responsibility.

This policy is not intended to be used for Civil Rights or Title IX grievances. Please refer to policy AC for appropriate reporting and response processes.

Individual or group grievances of employees shall be filed within 30 working days of the incident that is the subject of the grievance. Any grievance filed outside of this timeline shall not be considered pursuant to this regulation. A grievance shall be resolved as follows:

#### **Step 1:**

The grievance shall first be presented in writing to the persons having direct administrative or supervisory responsibility over the work of the employee involved in the grievance. The written grievance shall:

- (1) explain the specific incident that is the subject of the grievance in sufficient detail;
- (2) include a description of prior attempts to resolve the matter and the results of these attempts; and
- (3) discuss the reasons why the employee(s) is/are not satisfied with the prior results. The supervisor or administrator shall render a written decision within 10 working days.

#### **Step 2:**

If the grievance is not solved at Step 1, the employee(s) may present the written grievance to a grievance panel who shall review the grievance and the report from Step 1 and hold a hearing within 10 working days of receipt of the report from Step 1.

##### **Grievance Panel**

1. Three employees will be appointed by the superintendent.
2. Three employees will be selected by the grievant from sign up lists posted in each building.
3. The panel will select a chairperson from the panel membership.
4. The superintendent will not be a member of the panel.
5. The grievance panel may request additional written statements to aid in clarifying issues stated in the written grievance statement.
6. The grievance panel must meet within ten (10) days after the request is submitted. The panel will convene and hear the testimony of all interested parties, and seek such legal guidance as it deems necessary. The grievance panel shall have the authority to call witnesses and to establish the procedures for the hearing.

7. Within 25 days of the filing of the grievance at Step 1 the grievance panel shall issue its findings of fact and specific recommendations for the resolution of the grievance to both the grievant, and the superintendent of schools. The grievance shall be considered resolved if the recommendations of the panel shall be accepted by the Superintendent and the grievant.
8. The actual and necessary expenses of the panel shall be separately borne by the District and the grievant.

#### Charge to the Panel

1. Attempt to reach agreement, by a majority vote, in resolving the grievance problem. The agreement reached will be written in the form of findings and recommendations, signed by the panel chairperson and delivered within five (5) days after completion of panel deliberations to the superintendent, and the grievant for review. If the resolution is unacceptable to either the superintendent or grievant, the matter will be referred to the panel for further deliberation. If this second deliberation results in dissatisfaction for the superintendent or grievant, the panel chairperson, within five days after completion of deliberations, will present finding and recommendations to the Board for disposition of the matter.
2. If agreement cannot be reached, the panel chairperson will sign written findings and recommendations and deliver them within five days following completion of panel deliberations to the superintendent and to the grievant. If the findings and recommendations are unacceptable to the superintendent or the grievant, the matter will be referred to the panel for further deliberation. If this second deliberation results in dissatisfaction for the superintendent or grievant, the panel chairperson, within five (5) days after completion of deliberations, will request findings and recommendations be submitted to the Board for disposition of the matter.
3. Neither the administration, the grievant, nor any of the panel members shall make public the issues on the facts involved in the grievance during all stages of the procedures, until it is presented to the School Board.

#### Step 3:

If the grievance is not solved at Step 2, the employee(s) may present the written grievance to the superintendent who shall conduct a hearing within 10 working days of receipt of the report from Step 2 and shall render a written decision within 10 working days of the hearing.

#### Step 4:

If the grievance is not solved at Step 3, the employee(s) may file a written request for review by the Board of Education, which will be held within 15 working days of receipt of the report from Step 3. The Board's review of the grievance may be held in executive session at the request of the employee(s), the superintendent or the Board. The decision of the Board shall be final and shall be made in writing within 15 working days of the Board's review.

Notwithstanding the steps of the grievance procedure described above, an employee may discuss any problem at any time with any district supervisor or administrator.

**Post Grievance Procedure Resolution:**

In the event that the grievance remains unresolved at the termination of the grievance procedure, the grievant is free to pursue such litigation or statutory remedy as the law may provide.

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