

The board shall provide a procedure whereby each employee shall have the opportunity to have employee complaints and grievances timely and fairly considered.

APPROVED: August 6, 1973

REVIEWED: November 13, 2000

REVIEWED AND APPROVED: February 13, 2012

A. Purpose

The purpose of this procedure is to provide for the orderly and expeditious adjustment of grievances of individual employees of the school district at the lowest level.

B. Definitions

(1) "Grievance" shall mean any alleged violation of the terms and conditions of an employee's contract of employment.

(2) "Grievant" means an employee of the district having a grievance.

(3) Words denoting gender shall include both masculine and feminine, and words denoting number shall include both singular and plural.

C. Procedures

In general. The adjustment of grievances shall be accomplished as rapidly as possible. To that end, the number of days with which each step is prescribed to be accomplished shall be considered as maximum and every effort shall be made to expedite the process. Under unusual circumstances, the time limit prescribed in this statement may be extended or reduced by mutual consent of the grievant and the person or persons by whom his/her grievance is being considered.

C. Supplemental Conditions

- (1) All individuals involved, and all others who might possibly contribute to the acceptable adjustment of a grievance, are authorized and urged to testify with full assurance that no reprisal will follow by reason of such participation.
- (2) Upon the final determination of the grievance, the documents, communications and records relating thereto shall be destroyed excepting a record of the grievance and the final adjustment thereof and excepting records required by law to be kept and maintained.
- (3) At each step of the procedure for adjusting grievances after the initial private conference(s) with his/her immediate administrative superior, the grievant shall be entitled to be accompanied by others who might contribute to the acceptable adjustment of the grievance and/or to be represented by legal counsel.
- (4) All grievance hearings shall be confidential.
- (5) All discussions and hearings shall be conducted at times other than when school is in session.
- (6) Excluded from the grievance procedure shall be matters for which law mandates another method of review.
- (7) Only the employee affected may file a grievance or an appeal from Levels 1 and 2.
- (8) The filing of a grievance at all levels beyond the informal conference in Level 1 shall be in writing and shall be reasonably specific as to the nature of the complaint. The grievance should, to the extent possible, describe the alleged event or act giving rise to the grievance including the time,

date and place of the event or act and the names and addresses of any witnesses thereto.

Level 1

A grievant shall first take up his/her grievance with his/her immediate supervisor in private informal conference(s) within 15 school days after the occurrence of the event upon which a grievance is based or after the grievant becomes aware of such event. If the employee is dissatisfied with the outcome of the initial private conference(s), he/she may request a formal conference with his/her immediate administrative supervisor. Every effort should be made to develop an understanding of the facts and the issues in order to create a climate which will lead to a solution. The formal conference shall occur within ten school days of the last informal conference.

Level 2

In the event that the aggrieved person is not satisfied with the disposition of his/her grievance at Level 1 or that no decision is reached within ten school days after a formal presentation, he/she may appeal the matter in writing to the superintendent.

If the grievant appeals the grievance to the superintendent, the superintendent or designated representative shall confer with the grievant in an effort to arrive at a satisfactory solution within ten school days after the appeal has been received by the superintendent.

If the grievant does not appeal the grievance to the superintendent within 30 school days after the formal conference at Level 1, the grievance shall automatically be waived.

Level 3

If the grievance is not adjusted to the satisfaction of the grievant or if no decision is made thereon within 20 school days after the date the grievance was filed with the superintendent or designated representative under Level 2, then the grievant may appeal the grievance to the board for the purpose of final adjustment of the grievance by submitting a written request to the clerk

of the board within ten school days after the superintendent or designated representative has rendered a decision or after the expiration of said 20 days.

If the grievant does not appeal the grievance to the board within 30 school days after the formal conference at Level 2, the grievance shall automatically be waived.

The board, upon receipt of a complaint or grievance, may assign a hearing officer to hear such complaint or grievance and make findings and recommendations to the board. Such findings and recommendations shall be made to the board within ten days after the complaint or grievance has been assigned to the hearing officer. The board shall rule upon such complaint or grievance within 30 school days after receipt of the findings and recommendations of the hearing officer.

Rules for Conducting a Grievance Procedure Hearing at Level 3

- (1) The hearing will be conducted in executive session.
- (2) Efforts will be made by all participants to eliminate repetitious testimony and/or materials; however, each participant will be given reasonable time to present his/her testimony and/or materials.
- (3) The grievant will make his/her opening remarks and present his/her case.
- (4) The administration will make its opening remarks and present its findings in the case.
- (5) Witnesses will be called individually by the grievant and administration to testify before the board. The board may call additional witnesses and may authorize witnesses being called as a group.
- (6) The grievant and the administration may ask questions of the witnesses during the time they are testifying.
- (7) Members of the board may ask questions of all participants during the hearing.
- (8) A summary statement may be made to the board by the grievant at this time.

- (9) A summary statement may be made to the board by the administration at this time.
- (10) Any new materials injected into any summary statement may be rebutted.
- (11) The board will take the matter of the grievance under advisement and render its decision in written form to the grievant within 45 days of the hearing.
- (12) The decision rendered by the board shall be the final disposition of any grievance.

APPROVED: December 13, 1982

AMENDED: November 13, 2000

REVIEWED AND APPROVED: February 13, 2012