

4013
Grievance Procedure

Definition of Grievance. A grievance is an allegation by an employee or group of employees that there has been a violation of a provision of the negotiated agreement or a policy of the board of education.

Procedural Steps. The procedure for handling grievances is as set forth below.

Step 1 - Oral Notice to Principal. The grievant shall initiate the grievance by presenting it to his or her principal or immediate supervisor within seven (7) days from the date that the grievant knew or should have known of the incident giving rise to the grievance.

Step 2 - Written Grievance to the Principal. If the grievance is not resolved to the satisfaction of the grievant within five (5) days of the meeting with the principal, the grievant representative may present the grievance in writing to the principal.

The principal shall schedule a meeting within three (3) days of receipt of the written grievance to discuss the elements of the grievance. The principal shall submit his or her determination in writing to the grievant within five (5) days of the meeting.

Step 3 - Written Appeal to the Superintendent of Schools. If the determination of the principal is not satisfactory to the grievant, the grievant may appeal it to the superintendent of schools or his or her designated representative. Said appeal shall be presented, in writing, to the office of the superintendent of schools within five (5) days of receipt of the principal's determination.

The superintendent of schools or a designee shall hold a formal meeting within seven (7) days of receiving the written appeal. The superintendent of schools or a designated representative shall make a written determination regarding the grievance within five (5) days of the date of the meeting.

Step 4 - Appeal to the Board of Education. If the determination of the superintendent of schools is not satisfactory to the grievant, the grievant may appeal it to the board within five (5) days of receipt of the superintendent's decision. The board shall hear the grievance within thirty (30) days in open or closed session in accordance with the law. The board shall notify the grievant of its decision within five (5) days of hearing the grievance.

Written Presentation. All grievances presented at Step 2 and subsequent steps of the procedure shall set forth in writing all facts giving rise to the grievance, the provision(s) of the Agreement or policy alleged to have been violated, the names of the grievant(s), the names of all witnesses, and the remedy sought by the grievant. All grievances at Step 2 and appeals at Step 3 and Step 4 shall be signed and dated by the aggrieved employee. All written answers submitted by the district shall be signed and dated by the appropriate district representative.

Grievance Meetings or Hearings. All meetings and hearings conducted under this procedure up to and including Step 3 shall be conducted in private and shall include only the administration's representatives, the grievant, the grievant's representatives, and witnesses as necessary.

Association Representation. A grievant shall have the right to have an Association representative present to represent the grievant at each level of the grievance procedure.

Reprisals. No reprisals of any kind shall be taken against any employee who uses this grievance procedure in good faith.

Withdrawal of a Grievance. A grievant may withdraw his or her grievance at any level of the procedure without fear of reprisal from any party.

Advanced Step Filing. A grievance shall be filed initially at the level at which the decision resulting in the grievance was made.

Time Limitations. Time limitations herein are critical. All references to days are to calendar days. No grievance shall be accepted by the district unless it is submitted or appealed within the time limits set forth in this Agreement. If at any time during the grievance process, it is discovered that the grievance was not filed or appealed in a timely manner, the grievance shall be dismissed. If the grievance is not submitted in a timely manner at Step 1 or Step 2, it shall be deemed to be waived. If the grievance is not appealed to Step 3 in a timely manner, it shall be deemed to have been settled in accordance with the district's Step 2 determination. If the district fails to answer within the time limits set forth in this Agreement, the grievance shall automatically proceed to the next step.

When the deadline for taking an action falls on a Saturday, a Sunday or a legal holiday, the time for taking the action shall be extended to the next working day.

Adopted on: December 9, 2013

Revised on: _____

Reviewed on: _____

Written Grievance to the Principal
(Step Two)

(To be completed by aggrieved person)

Aggrieved Person _____

Date of Formal Presentation _____

Home Address of Aggrieved Person _____

School _____

Principal _____

Subject Area or Grade _____

Name of Association School Representative _____

Statement of Grievance:

Action Requested:

Signature of Aggrieved _____

Decision of Principal
(Step Two)

Aggrieved Person _____

Date of Written Grievance Presentation _____

School _____ Principal _____

Decision of principal (or other administrator) and reasons therefore:

Date of Decision _____

Signature of Principal

Aggrieved person's response: (To be completed by aggrieved within 3 days of decision.)

_____ I accept the above decision of principal (or other administrator).

_____ I hereby refer the above decision for appeal to the Superintendent of Schools.

Date of Response _____

Signature of Aggrieved

Written Grievance to the Superintendent
(Step Three)

(To be completed by aggrieved person)

Aggrieved Person _____

Date of Formal Presentation _____

Home Address of Aggrieved Person _____

School _____

Principal _____

Subject Area or Grade _____

Name of Association School Representative _____

Statement of Grievance:

Action Requested:

Signature of Aggrieved _____

Decision of Superintendent
(Step Three)

Aggrieved Person _____

Date of Written Grievance Presentation _____

School _____ Superintendent _____

Decision of principal (or other administrator) and reasons therefore:

Date of Decision _____

Signature of Superintendent

Aggrieved person's response: (To be completed by aggrieved within 3 days of decision.)

_____ I accept the above decision of Superintendent (or other administrator).

_____ I hereby refer the above decision for appeal to the Board of Education.

Date of Response _____

Signature of Aggrieved

Written Grievance to the Board of Education
(Step Four)

(To be completed by aggrieved person)

Aggrieved Person _____

Date of Formal Presentation _____

Home Address of Aggrieved Person _____

School _____

Principal _____

Subject Area or Grade _____

Name of Association School Representative _____

Statement of Grievance:

Action Requested:

Signature of Aggrieved _____

Review by Board of Education
(Step Four)

Aggrieved Person _____

Date of Formal Grievance Presentation _____

_____ The attached grievance is hereby appealed to the Board of Education for a review and hearing.

Date of Referral to Board _____

Signature of Superintendent

Board Response:

Date of Appeal Received by Board of Education _____

Date Hearing Held by Board of Education _____

Decision of Board of Education and Reasons Therefore:

Date of Decision _____

Signature of Board Chairman

Aggrieved Person's Response:

_____ I accept the above decision of the Board of Education.

_____ I hereby request that the Association submit this grievance to fact-finding.

Date of Response _____

Signature of Aggrieved