

Uniform Grievance Procedure

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

This 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 a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

1. Level 1: Informal

An informal meeting with the parties and the Teacher can solve many problems. An individual with a complaint is encouraged to first discuss it with the teacher 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 level that is not involved in the alleged harassment.

2. Level 2: Principal

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1) the nature of the grievance, 2) the remedy requested, and 3) be signed and dated by the grievant. The Level 2 written grievance must be filed with the Coordinator within sixty (60) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the Principal shall investigate and attempt to resolve the complaint. If either party is not satisfied with the decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the decision. This request must be submitted to the Board within fifteen (15) days of the decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the Principal shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The District has appointed a Nondiscrimination Coordinator (may be the County Superintendent) to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Board within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Board of Trustees agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Board rejects the recommendations of the Coordinator, and/or either party is not satisfied with the recommendation from Level 2, either party may make a written appeal within fifteen (15) days of receiving the report of the Coordinator to the Board for a hearing.

The Coordinator will complete the investigation and file the report with the Board of Trustees within thirty (30) days after receipt of the written grievance. The Coordinator will send a copy of the report to the grievant.

If the Board agrees with the recommendation of the Coordinator, the recommendation will be implemented.

Level 3: The Board of Trustees

If the Board of Trustees rejects the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within fifteen (15) days of receiving the report of the Coordinator to the Board for a full contested case hearing. On receipt of the written appeal, the matter shall be placed on the agenda of the Board for consideration not later than the next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final, unless appealed within the period provided by law.

Level 4: County Superintendent

If the case falls within the jurisdiction of the County Superintendent of Schools, the decision of the Board of Trustees may be appealed to the County Superintendent by filing a written appeal within thirty (30) days after the final decision of the Board pursuant to the Rules of School Controversy (10.6.103, et seq. ARM).

Policy History:

Adopted on: 2008-09

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