

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.

The 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 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 the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Level 1: Informal: An individual with a complaint is encouraged to first discuss it with the teacher, or staff member involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the County Superintendent.

Level 2: County Superintendent: If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1) the nature of the grievance and 2) the remedy requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the County Superintendent 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 County Superintendent shall investigate and attempt to resolve the complaint. If either party is not satisfied with the County Superintendent's decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the County Superintendent's decision. This request must be submitted to the Board within fifteen (15) days of the County Superintendent's decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the County Superintendent shall turn the complaint over to the Nondiscrimination Coordinator (the Principal, per Section 3210) who shall investigate the complaint. The District has appointed Nondiscrimination Coordinators to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the County Superintendent within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the County Superintendent agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the County Superintendent 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 hearing.

Level 3: The Board: If either party is not satisfied with the decision of the County Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within fifteen (15) days of receiving the County Superintendent's decision. The Board is the policy-making body of the school, however, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the County Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Upon receipt of a written appeal of the decision of the County Superintendent, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their 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 may be appealed to the County Superintendent, who shall appoint an impartial 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.

Procedure History:

Promulgated on: 2008-09

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