

GRIEVANCE RESOLUTION PROCEDURE

Reference: ECBOE Policy 4.6, Revised March 7, 2019

Education is a shared responsibility among home, school and the surrounding community. The Elmore County Board of Education believes all stakeholders have both the right and responsibility to express school-related concerns and grievances to school faculty and administration. All stakeholders are always welcome to make appointments to discuss any concerns they may have regarding their school. The faculty and administration will strive to resolve grievances at the school level **(at the lowest possible administrative level)**. It is expected that most grievances will be resolved satisfactorily at this level. However, in the event that the grievance cannot be settled at this level, then the parties involved may pursue the grievance to the Superintendent and then to the Board.

For the purpose of this procedure, a grievance is defined as a claim submitted by an employee, a student, parent/guardian of a student, or a community member of violation, misinterpretation, or inequitable application of local Board policy, local school rule/regulation, or local administrative procedure. A grievance is also a concern regarding identification, evaluation, eligibility, or services related to instructional programs within the school. The term "grievance" shall apply to matters which fall within the discretionary powers of the principal, Superintendent and/or Board but shall not apply to areas where the principal, Superintendent or Board has no authority to act. The Board is the final authority in all matters pertaining to grievances unless the grievant should desire to exercise proper redress through the courts or utilize appeal procedures as established by law.

The normal procedure usually followed by any employee, parent/guardian or student regarding a personal grievance is to discuss the matter with the teacher or administrator directly involved. When the nature of the grievance dictates otherwise, the employee, parent/guardian or student upon notifying the staff directly involved, may request a meeting with the school principal. Such meetings should be granted within five (5) working days at a reasonable time and place. A student expressing concern may request the presence of one faculty member of the student's choice or his/her parent/guardian(s) to be present at such meeting.

In an effort to resolve concerns prior to filing a formal grievance, the following steps should be taken by an **employee, parent, student, and/or community member**:

1. The initial contact should be a school conference requested by the grievant(s) within 10 school days of the incident where the issue/concern will be presented orally and/or in writing.
2. The immediate supervisor to whom the conference request is presented should schedule a conference within five working days of the request.
3. School informal conference should be documented.
4. In cases when a concern cannot be resolved through an informal conference at the local school level, the grievance procedure herein should be followed.

FORMAL GRIEVANCE PROCEDURE

For the purpose of this procedure, a grievance is defined as *a claim submitted by an employee, parent/guardian, community member, or student regarding a violation, misinterpretation, or inequitable application of local board policy, local school rule and regulation, or local administrative procedure, (i.e. matters concerning curriculum, sports, disciplinary problems, school calendar, classroom policy, etc.)* Incidents/issues *not* addressed in this grievance procedure are: grades, promotion, placement, Title I, Title IV, 504, and FERPA. Employee grievances should not be submitted for issues regarding dismissal, terminations, transfers, reassignments and any other procedures already established by law and/or the Students First Act.

The following steps should be followed **sequentially** to file a grievance:

1. Principal/Immediate Supervisor

- a. A completed grievance resolution form should be submitted to the principal/employee's immediate supervisor within 10 school days of the informal conference that is the subject of the grievance. (This form may be obtained from the principal or Board of Education Office.)
- b. The school staff and involved parties are to be immediately given a copy of the completed form by the principal/immediate supervisor and given an opportunity to respond within 3 school days.
- c. The principal/immediate supervisor will schedule a formal mediation conference with the involved parties and complete the School Conference Report form for documentation (conference scheduled within five days of submitted grievance). The principal shall provide a response on the grievance resolution form to the grievant within ten days of the formal mediation conference.

2. Superintendent

- a. If the grievance is not resolved at level one, the grievant(s) may proceed to level two by submitting the original grievance with the principal's response, and the *School Conference Report* to the Superintendent's office within 5 school days of the principal's decision.
- b. The Superintendent or his/her designee will review the principal's decision and may arrange for a meeting to review the situation.
- c. The Superintendent may refer the grievant(s) to the appropriate administrative staff to resolve the situation.
- d. A decision will be rendered by the Superintendent or his/her designee within 10 school days after receiving the forwarded grievance form and principal's response.

3. Elmore County Board of Education (ECBOE)

- a. If a grievance is not resolved at level two, the grievant(s) may proceed to level three by presenting the established record, including the original grievance, response,

- decision and any evidence submitted, to the Board President within 10 school days after the Superintendent's decision.
- b. The Board will review the record, consider the evidence and vote to affirm or deny the grievance at the next regularly scheduled Board meeting, or as soon as practicable after receipt of the grievance.
 - c. The Board may schedule a hearing with the grievant before making a final decision, if the Board deems a hearing necessary.
 - d. The grievant(s) will be notified of the Board's decision within 10 school days of the Board's vote.
 - e. The decision by the Board shall be considered final.

Failure at any step of this procedure to communicate decisions at the levels and in the manner required at the respective level shall permit the grievance to proceed to the next level. Failure at any step of this procedure to appeal a grievance to the next level within specified time limits shall be deemed an acceptance of the decision rendered at that level and this procedure shall terminate for the given grievance.