

It is the Board's desire that administrative procedures for settling complaints and grievances of any and all (i.e., students, parents/guardians, and patrons, hereinafter "Grievant") be an orderly process within which solutions may be pursued. This policy shall apply to people employed by the District only if their grievance is in their capacity as a parent/guardian or patron.

It is the intent of the Board that this policy will provide prompt and equitable resolution at the lowest possible administrative level. Additionally, it is the Board's desire that each grievant be assured an opportunity for orderly presentation and review of complaints without fear of reprisal.

This grievance policy should be followed if a grievant believes that the Board, its employees or agents have violated the grievant's rights guaranteed by the State or federal constitutions, State or federal statutes, or Board policy, except that any allegation of sexual misconduct or sexual harassment shall be addressed in accordance with Policy 3085. As referenced above, staff grievances relating to their employment position are solely controlled by:

1. Policy 5800 and Procedure 5800P in the case of classified staff
2. Policy 5900 (The Collective Bargaining Agreement) for certified staff

The District will endeavor to respond to and resolve all other complaints without resorting to this grievance policy and, if a complaint is filed, to address the complaint promptly and equitably. Complaints that do not fall under the purview of this policy or those referenced above will utilize Policy 4110 for general complaints or Policy 2530 when related to learning materials. 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 policy is not a prerequisite to the pursuit of other remedies, and use of this grievance policy does not extend any filing deadline related to the pursuit of other remedies.

Grievances will be processed according to the step-by-step process outlined below. However, if a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest step and the process shall be modified as needed to meet the objectives of the grievance policy. If a grievance is directly based on official Board action, the grievance shall be directed to the Clerk of the Board. The grievance may be heard by the Board at the sole discretion of the Board.

Level 1: Informal

A grievant with a complaint is encouraged to first discuss it with the teacher, counselor, or building administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual misconduct against a student should be addressed in accordance with Policy 3085.

Level 2: Building Administrator

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating: 1) the nature of the grievance, including identification of the state or federal constitutional provision, state or federal statute, and/or Board policy the grievant alleges has been violated and the date the grievant attempted to address the matter informally with the employee in Level 1 and 2) the remedy requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the building administrator within 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 building administrator shall investigate and attempt to resolve the complaint within 30 school business days. If either party is not satisfied with the building administrator's decision, the grievance may be advanced to Level 3 by requesting in writing that the Director of Elementary Programs or the Director of Secondary Programs review the building administrator's decision. This request must be submitted to the appropriate Director within 15 days of the building administrator's decision.

If the complaint alleges a violation of Title II, Section 504 of the Rehabilitation Act, or a violation of Title IX other than sexual misconduct, the building administrator shall turn the complaint over to the a Nondiscrimination Coordinator who shall investigate the complaint. The District has appointed Nondiscrimination Coordinator to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the appropriate Director within 30 school business days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Director agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Director 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 15 days of receiving the report of the Coordinator to the Superintendent.

Level 3: Director of Elementary or Secondary Programs

Upon receipt of the request for review, the Director shall schedule a meeting between the parties and the building administrator. The parties shall be afforded the opportunity to either dispute or concur with the building administrator's report. The Director shall decide the matter within 10 days of the meeting and shall notify the parties in writing of the decision. If the Director agrees with the recommendation of the building administrator, the recommendation will be implemented. If the Director rejects the recommendation of the building administrator, the matter may either be referred to an outside investigator for further review or resolved by the Superintendent.

If either party is not satisfied with the decision of the Director, the Superintendent is the next avenue for appeal. A written appeal must be submitted to the Superintendent within 15 days of receiving the Director'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 Superintendent or to the Board bears the burden of proving a failure to follow Board policy.

Level 4: Superintendent

Upon receipt of the request for review, the Superintendent shall schedule a meeting between the parties and the building administrator. The parties shall be afforded the opportunity to either dispute or concur with the building administrator's report. The Superintendent shall decide the matter within 10 days of the meeting and shall notify the parties in writing of the decision. If the Superintendent agrees with the recommendation of the building administrator, the recommendation will be implemented. If the Superintendent rejects the recommendation of the building administrator, the matter may either be referred to an outside investigator for further review or resolved by the Superintendent.

If either party is not satisfied with the decision of the Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within 15 days of receiving the 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 Superintendent to the Board bears the burden of proving a failure to follow Board policy.

Level 5: The Board

When the Board receives a written appeal of the decision of the Superintendent in which the grievant alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration at the earliest time convenient to the Board.

The Board has the sole discretion in determining how to handle the grievance review, including but not limited to the option of solely reviewing the written record and making a determination or seeking to speak with both sides of a grievance during a properly noticed meeting of the Board.

A decision by the Board shall be made and reported in writing to all parties within 30 days of the Board's review, whether by written record or via meeting with the parties. The decision of the Board will be final.



Cross References: 2530 Learning Materials Review
3085 Sexual Harassment, Discrimination and Retaliation
3085P Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions
4110 Public Complaints
5800 Classified Employment, Assignment, and Grievance
5800P Classified Employee Grievance
5900 Collective Bargaining Agreement

Procedure History

ADOPTED: 8/11/14

ISBA

REVISED: 12/14/15

9/12/16
11/11/19
1/11/21
4/12/21
5/9/22

Uniform Grievance Report Form

(Please keep your presentation to one sheet. Thank you.)

If the complaint pertains to sexual harassment or sexual misconduct, the concern should be remanded to the Title IX Coordinator to address in accordance with Policy 3085.

Name: _____ Date _____

Mailing Address: _____

Phone Number(s): _____

Subject: _____

Please identify the right guaranteed by the state or federal constitution, state or federal statute, or Board policy you believe has been violated. If this was an instance of sexual harassment, please report the issue as described in Policy 3085 and Procedure 3085P: _____

Examples that validate the problem: _____

Results: _____

Suggested Solutions: _____

Response to Concern

If the complaint pertains to sexual harassment or sexual misconduct, the concern should be remanded to the Title IX Coordinator to address in accordance with Policy 3085.

Person Responding _____ Response Date _____

Method used to communicate response: _____

Actions taken to investigate concern: _____

People contacted in gathering information upon which to make decision: _____

Findings of investigation: _____

Decision: _____

Results of communicating the decision: _____

Signature