

COMMUNITY RELATIONS

4120

Uniform Grievance Policy

It is the Board of Director's desire that administrative procedures for settling complaints and grievances of any and all persons 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 Charter School only if their grievance is in their capacity as a parent/guardian or patron. Any other employee complaints shall be resolved as described as specified below.

It is the intent of the Board that this policy 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.

Grievance Procedure

This grievance procedure 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 5250 in the case of certificated staff; and

The Charter School 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.

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 Procedure. If a grievance is directly based on official Board action, the grievance shall be directed to the secretary/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 employee (teacher, counselor, administrator etc.) 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: Executive Director/Principal

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 Executive Director and/or Principal 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 Executive Director and/or Principal shall investigate and attempt to resolve the complaint within 30 school business days. If either party is not satisfied with the Executive Director's and/or Principal's decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the Executive Director's and/or Principal's decision. This request must be submitted to the Board within 15 days of the Executive Director's and/or Principal'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 Executive Director and/or Principal shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The Charter School has appointed Nondiscrimination Coordinators to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Executive Director and/or Principal within thirty (30) days after receipt of the written grievance. The Coordinator may request an outside investigator if necessary. If the Executive Director and/or Principal agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Executive Director and/or Principal 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

When the Board receives a written appeal of the decision of the Executive Director and/or Principal 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 Reference: 3085 Sexual Harassment, Discrimination and Retaliation Policy
3085P Title IX Sexual Harassment Grievance Procedure, Requirements and Definitions

Policy History:

Adopted on: February 11, 2021

Revised on: January 18, 2023

Reviewed on: