

**STAFF AND PERSONNEL
SERIES 400**

409.8

TITLE: CERTIFIED PERSONNEL GRIEVANCE PROCEDURE

A grievance shall be defined as a written allegation of a violation of the Master Agreement or Board Approved written school district policy.

If a certificated employee files a grievance, said employee shall present the grievance informally and in person to the individual (s) against whom the grievance has been filed within five (5) working days of the incident(s) causing the grievance. .

If the grievance has not been resolved to the employee's satisfaction within ten (10) working days of the informal presentation of the grievance, the employee shall submit the grievance in writing to his or her immediate supervisor. This must be completed within fifteen (15) working days of the incident(s) giving rise to the grievance or no grievance will be processed in accordance with this policy.

The immediate supervisor shall review the written grievance issue and submit a written response to the individual filing a grievance within five (5) working days of receipt of the written grievance.

If the employee is not satisfied with the response of the immediate supervisor or if there is no response within the time lines, the employee may appeal the grievance to the superintendent of the district or the superintendent's designee. This must be done within five (5) working days of the receipt of the response or within five (5) working days from the date the supervisor last had to respond if the certificated employee received no written response. Failure to meet this time limitation will result in the conclusion of the processing of the grievance and no further action will be taken.

Within six (6) working days of an appeal, the superintendent or his designee shall communicate with the certificated employee about the subject matter of the grievance. Within five (5) working days of the communication, the superintendent or his designee shall provide a written response to the certificated employee.

If the certificated employee is not satisfied with the response of the superintendent or his designee, or if there is no response by the superintendent or his designee within the time frame provided, the certificated employee may request a review of the grievance by the Board of Trustees. This request must be made within five (5) working days from receipt of the response if the employee received a written response, or five (5) working days from the date the superintendent last had to respond if the certificated employee received no written response. Failure to meet this time limitation will result in the conclusion of the processing of the grievance and no further action will be taken.

Within fifteen (15) working days of receipt of an appeal, the board of trustees shall convene to hear the employee's appeal of the grievance

The Board's decision shall be the final and conclusive resolution of the grievance.

A certificated employee filing a grievance shall be entitled to a representative of the employee's choice at each step of the grievance procedure. The supervisor, superintendent, or the superintendent's designee shall be entitled to a representative at each step of the grievance procedure.

The time lines of this grievance procedure may be waived or modified by written mutual agreement.

Utilization of the grievance procedure shall not constitute a waiver of any right of appeal available pursuant to law or regulation.

Neither the board nor any member of the administration shall take reprisals affecting the employment status of any party in interest, unless such individual, through the grievance process is discovered to have engaged in conduct which justifies disciplinary action (i.e. the person against whom a grievance was filed has engaged in inappropriate conduct which served as the subject matter of the grievance). The grievant likewise shall take no reprisals against any individual involved in the grievance process.

A certificated employee of a school district shall be required to review and sign any entries made to his personnel file. At reasonable times and places, in the presence of any appropriate district official, a certificated employee may inspect documents contained in his/her official personnel file.

Adopted: August 8, 2011

Amended: 9/9/2013