

COMPLAINTS AND GRIEVANCES

As is natural, there are times when issues arise between employees or between an employee and the school administration. This policy is intended to provide a simple, expeditious, and fair process for resolving employee complaints at the lowest possible level and with a minimum of conflict and formal proceedings. No employee will be subject to reprisal as a result of filing a complaint under this procedure.

Any current employee may file a complaint concerning his or her employment or the implementation of the personnel policies. The complaint should be in writing, and every attempt should have been made to settle the issue with individual conversations.

Definitions

- (a) "Complaint" means any claim by an employee of the school who is affected in his or her employment relationship by an alleged violation, misinterpretation, or misapplication of statutes, policies, rules, regulations or written agreements of the school system with which the school system is required to comply.
- (b) "Grievance" means a complaint that can be resolved at the lowest possible administrative level through the process described in this policy.
- (c) "Level One Administrator" means the individual in each unit of the school system designated by the Executive Director to preside over and make decisions with respect to grievances.
- (d) "Central Office Administrator" means the individual designated by the Executive Director to review appeals of level one grievance responses.
- (e) "Board" means the Amana Academy Board, or a tribunal or independent hearing officer designated by the board for the hearing of grievance appeals.

Exclusions

Complaints related to the following situations have separate complaint procedures and, therefore, shall not be subject to the provisions of this policy:

1. Performance ratings contained in personnel evaluations.
2. Professional development plans or work improvement plans.
3. Adverse personnel actions against employees, such as termination, non-renewal, demotion, suspension without pay, or written reprimand from the superintendent.
4. Allegations of discrimination, harassment, or retaliation.
5. Allegations of retaliation or violations of whistleblower protections.

Time Limits

Any grievance shall be presented in writing to the immediate supervisor no later than ten (10) days from the date of the alleged act prompting the grievance or from the date of the most recent incident upon which the complaint is based. After the grievance has been presented to the level one administrator, the time limits below shall apply.

Grievance/Appeal Steps	TIME LIMITS	
	Number of Days to File Appeal	Number of Days to Hear Case and Respond
Level One/Administrator	–	5
Level Two/Central Office Administrator	10	10
Level Three/Board	10	25

When the last day of any period described in this policy falls on a day the school system is closed (e.g., designated inclement weather days, furloughs), the period shall continue until the next day the school system is open for business.

The time from the employee's first written presentation of a grievance to the final decision made by the board shall not be more than sixty (60) days.

If a complaint is referred from the level two grievance hearing to Human Resources for investigation, the time limit on the grievance appeal process is stayed until the resolution of the investigation. If the complainant is dissatisfied with the outcome of the investigation, the complainant may file a level three appeal within 10 working days of the decision.

Requirements

Grievances must be presented in writing and must:

1. Clearly state the intent to access policy Complaints and Grievances;
2. Specifically set forth the statute, policy, rule, regulation, or written agreement that is alleged to have been violated, misinterpreted, or misapplied;
3. Specifically set forth facts to show how the statute, policy, rule, regulation, or written agreement was violated, misinterpreted, or misapplied;
4. Specifically set forth facts to show how the employment relationship of the complainant has been substantially affected;
5. Clearly state the relief desired; and
6. Provide the mailing address of the complainant to which all notices and other documents may be mailed.

NOTE: Grievances alleging general unfair, unreasonable, or abusive treatment are appealable to level two only.

1. Grievances and appeals not filed in writing within the required time limits shall not be considered.
2. Any administrator or supervisor who fails to hear and respond to a complaint or an appeal within the required time frame will be in violation of this policy and may be subject to disciplinary action.
3. Any grievance not processed within the time frame required by this policy should be appealed to the next level of the grievance procedure. Appeals not filed within the required time frame shall not be considered.
4. At least twenty-four (24) hours prior to a hearing at any level, written notice shall be provided to the complainant specifying the date, time, and place of the hearing.
5. A complainant may not present additional evidence at each level of the complaint process unless it is submitted in writing by the complainant five (5) days prior to the date set for the hearing. When hearing a complaint appealed from a prior complaint level, the board shall hear the complaint de novo (i.e. the grievance shall be presented from the beginning in a new hearing proceeding).

Governing Board Grievance Procedures (Level 3)

Once all efforts to resolve a grievance have been exhausted with the school's staff and leadership, then an individual may bring a grievance to the attention of the Governing Board as follows:

- Generally, the Board will not address a grievance that is made anonymously, based on hearsay, or made on behalf of another family.
- Generally, the Board will not address a grievance where resolution has not been exhausted through the teachers or the school leaders.
- Generally, the Board will not address specific grievances about the performance of an individual school employee in a public meeting. Any such grievances brought at a public meeting will be taken under advisement by the Board and responded to at a later time.
- The Board may, at its discretion, notify individual school employees about grievances brought against them. Parents may, however, request that they not be personally identified as the party bringing the grievance.