

505.0 UNIFORM GRIEVANCE PROCEDURE

The Board recognizes that situations may arise in the operation of the system which are of concern to parents, employees or the public. Such concerns are best dealt with through communication with appropriate staff members and officers of the IDVA, such as the faculty, the central office and the Board. The following guidelines are suggested as the proper procedure to be followed in seeking to resolve complaints/grievances of certificated staff, students and parent/guardians. This policy is inapplicable to classified employees. Classified employees are to raise complaints/grievances solely through Policy 801.2.

GRIEVANCE PROCEDURE:

This Uniform 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 constitution, state or federal statute or written Board Policy or written Board Procedure. Hereinafter such will be referred to as "grievance".

Any other concerns or complaints not encompassed by the definition of a grievance shall be directed to the teacher, immediate supervisor, program administrator, Human Resources Manager or Head of School. These concerns or complaints will not be processed through this grievance policy but will be handled informally by the school's administration.

The school shall endeavor to respond to and resolve complaints without resorting to this grievance procedure. However, if a grievance is filed, to address such promptly and equitably. Use of this policy in an effort to resolve one's grievance is not a prerequisite to such individual seeking out other remedies. However, use of this policy and procedure does not extend any filing deadline with regard to pursuit of any other remedy.

STEP ONE:

A grievant is encouraged to first discuss such grievance with the school employee or agent involved, i.e. the teacher, counselor or administrator. The goal of such communication will be an effort to resolve the matter promptly and informally.

An exception to this is with regard to any claim of sexual harassment, which should be directed to the school's Non-Discrimination Coordinator at the School's Administrative Offices.

STEP TWO:

If a grievant does not have resolution at Step One, the grievant may file a written grievance. Such written grievance shall detail:

1. A synopsis of the facts giving rise to the alleged grievance
2. Verification of any efforts taken to resolve the grievance informally
3. The policy, provision of state or federal statute alleged to have been violated, the provision of the state or federal constitution alleged to have been violated
4. The alleged date of the violation
5. The actor involved in the alleged violation
6. The remedy that is being requested

The Step Two written grievance must be signed and dated by the grievant and filed with the Head of School or the Non-Discrimination Coordinator (in the instances detailed below) within thirty

(30) calendar days of the event or incident occurred or from the date could have reasonably become aware of such incident/occurrence.

If the grievance alleges a violation of Board Policy or Board Written Procedures, the Principal, program administrator or designee shall investigate and attempt to resolve the grievance. If either party is not satisfied with the Principal, program administrator or designee's written decision the grievance may be advanced to Step Three by requesting in writing that the Head of School review the Step Two decision. This request must be submitted to the Head of School within ten (10) calendar days of the issuance of the Step Two written decision.

If the grievance alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act (Policy 1000.3), Sexual Harassment (Policy 711.1), Relationship Abuse and Sexual Assault (Policy 907.2) or the Idaho State Veteran's Employment Preference (Policy 702.7), the Principal, program administrator or designee shall turn the written grievance over to the school's Non-Discrimination Coordinator who shall investigate the Complaint. The School has appointed a Non-Discrimination Coordinator to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Head of School within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary or may use the additional assistance of a designee. If the Head of School agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Head of School disagrees with the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from this level, either party may make a written appeal within fifteen (15) calendar days of receiving the written report of the Coordinator to the Board for a proceeding.

STEP THREE:

Upon receipt of a written request to review the Principal, program administrator or designee's written decision at Step Two, the Head of School or designee shall schedule a meeting between the parties. The Head of School may request the presence of the Principal, Program Administrator or Human Resources Manager to attend this meeting. The parties shall be afforded the opportunity to either concur or disagree with the Step Two report. Thereafter, the Head of School or designee may engage in whatever questioning or activities the Head of School or designee believes necessary under the circumstances.

The Head of School shall decide the matter within ten (10) calendar days of the meeting with the parties. If the Head of School agrees with the written findings from Step Two, the recommendation will be implemented. If the Head of School rejects the findings from Step Two, the matter may either be referred to an outside investigator for further review or otherwise resolved by the Head of School. In either option, a written decision will be issued.

If either party is not satisfied with the decision of the Head of School, the Board is the next avenue for appeal. A written appeal must be submitted to the Board's clerk within ten (10) calendar days of receiving the Head of School decision.

Appeals to the Board's level must either be a grievance based upon an alleged violation of the school's written Board Policies or written Board Procedure or come to the Board through the Non-Discrimination Coordinator Process. Any individual appealing any decision of the Head of School to the Board bears the burden of proving a failure to follow Board policy.

STEP FOUR:

Upon receipt of a written appeal of the decision of the Head of School of an appeal through the Non-Discrimination Coordinator process, the matter shall be placed upon the agenda of the Board for consideration no later than the Board's next regularly scheduled meeting. There is no requirement that the Board conduct a hearing or hold a meeting with the parties. The Board has sole and complete discretion in determining how it will review any appeal.

The Board shall thereafter make a decision and shall report such decision to the appropriate parties within thirty (30) days of the Board meeting. The decision of the Board will be final.

Written grievances received by the Head of School involving IDVA personnel will be made available to the affected personnel.

The Board considers it the obligation of employees of the IDVA to entertain the questions of parents or the public.

The Board shall have established an e-mail link on the IDVA website to allow for members of the public to provide general comments, suggestions and/or complaints. A procedure will be established by the Board to review and address all email received on this website address.

Adopted: September 2005

Amended: February 2015

Amended: November 2015