

**DEXTER CONSOLIDATED SCHOOLS
FORMAL COMPLAINT/GRIEVANCE – STAFF**

Effective communication between District employees, the administrative staff, and the Board is essential for proper operation of the schools. Dexter Consolidated Schools values the staff and will make every effort to address concerns and complaints/grievances.

Retaliation against anyone who reports a complaint/grievance is prohibited. No person(s) shall suffer retaliation, recrimination, discrimination, harassment, or be otherwise adversely affected because of the use of the grievance procedure. Appropriate action will be taken against students, staff, or administration who retaliate against anyone who submits a complaint/grievance to the district.

The following situations are not covered by the complaint/grievance procedure:

- The discretionary act(s) of professional judgment relating to the evaluation of the work performance of any employee by the designated evaluator(s).
- A personnel decision made by the Superintendent including, but not limited to, a termination or discharge, a demotion, transfer, assignment, or Board action directly and adversely affecting an employee's employment that may be subject to redress through provisions of State law and regulation.
- Situations in which the Superintendent and the Board are without authority to act or where the power to remedy the employee's concern resides exclusively with some person, agency, or authority other than the Board.
- Situations as to which a different procedure for remedy has been provided by the Board, or where District procedure is prescribed by State or Federal authority.

The following procedures will be used to report official complaints/grievances, document replies, and record resolutions.

Informal Level

Before filing a formal written grievance, the grievant must attempt to resolve the matter by one (1) or more informal conferences with immediate supervisor. The first of these informal conferences must be conducted within ten (10) business days after the employee knew, or should have known, of the act or omission giving rise to the grievance. A second or any subsequent conference must occur within five (5) business days after the initial informal conference, or any subsequent conference.

Formal Level

Level I - Within fifteen (15) business days after the employee knew, or should have known, of the act or omission giving rise to the grievance, the grievant must present the grievance in writing to the immediate supervisor. The grievance shall be a clear, concise statement of the circumstances giving rise to the grievance, a citation of the specific article, section, and paragraph of the policy or regulation that directly and specifically governs the employee's terms and conditions of employment that are alleged to have been violated, the decision rendered at the informal conference, and the specific remedy sought. The immediate supervisor shall communicate a decision to the employee in writing within five (5) business days after receiving the grievance. Within the time limits, either party may request a personal conference to attempt to resolve the matter.

At Level I, grievant will use the Staff Grievances – Level I Grievances Form A to submit grievance in writing.

Immediate supervisor will provide written decision of the supervisor on Staff Grievances – Level I Grievance Form B. On Form B, grievant will indicate whether he/she accepts the supervisor's decision or elects to refer the situation to the Superintendent.

Level II – In the event the grievant is not satisfied with the decision at Level I, the decision may be appealed to the Superintendent within five (5) business days after receipt of the decision. The appeal shall include a copy of the original grievance, the decision rendered, and a clear, concise statement of the reasons for the appeal. The Superintendent shall communicate a decision within five (5) business days after receiving the appeal. Either the grievant or the Superintendent may request a personal conference with the above time limits.

At Level II, grievant will use the Staff Grievances – Level II Grievances Form C to submit grievance in writing.

Superintendent will provide the written decision of the Superintendent on Staff Grievances – Level II Grievances Form D. On Form D, the grievant will indicate whether he/she accepts the Superintendent's decision or elects to refer the situation to the Board.

Level III – If the grievant is not satisfied with the decision at Level II, the grievant may, within five (5) business days submit an appeal in writing to the Superintendent for consideration by the Board. The Board will render a decision within fifteen (15) days of receipt. The decision of the Board is final.

At Level III, please use the Staff Grievances – Level III Grievances Form E to submit grievance in writing.

General Provisions

- Failure at any step of this procedure to appeal a grievance to the next step within the specified time limits shall be deemed an acceptance of the decision rendered at that step, and there shall be no further right to appeal. Failure to file a grievance within fifteen (15) business days after the employee knew, or should have known, of the circumstances upon which the grievance is based shall constitute a waiver of that grievance. The filing or pendency of any grievance under the provisions of this policy shall in no way operate to impede, delay, or interfere with the jurisdiction of the Board or the Superintendent.
- No person(s) shall suffer retaliation, recrimination, discrimination, harassment, or be otherwise adversely affected because of the use of the grievance procedure.
- Whenever possible, a grievance conference or hearing, at any level, shall be scheduled during a mutually convenient time that does not conflict with the regularly scheduled school program.
- A grievant requiring the attendance and testimony of other employees shall have the right to bring such witnesses as are willing to testify on behalf of the employee. When hearings must be scheduled during the work day, any necessary substitutes or release time shall be provided at District expense.

- A separate file shall be maintained by the District for all grievances. To the extent permitted by law, all documents produced during the processing of a grievance shall be filed therein. Nothing herein shall be construed to prevent the District from taking appropriate corrective action, reporting and documenting such action, and maintaining such documentation in any appropriate files maintained by the District.
- Nothing contained herein shall be construed to limit, in any way, the ability of the District and the grievant to resolve any grievance by informal means, and nothing herein shall be construed as requiring resorting to the formal procedures when grievable problems arise.
- A grievant may terminate the process at any level if he/she indicates, in writing, a desire to do so, accepts the resolution at that level, or fails to pursue the grievance by filing at the next level within the specified time limit.
- All grievances shall be filed and processed on grievance forms provided by the District and made available at each school and building site. Forms will also be available on the District website.
- The time limits at any level may be extended by mutual agreement between the grievant and the appropriate respondent or hearing authority.
- The grievant may be represented by legal counsel or union representative, if applicable, in conferences or hearings, except the informal conference. Any representative who intends to represent a grievant at a conference or hearing shall notify the Superintendent of that intention within a reasonable time before the conference or hearing. Failure to do so may justify postponement of the conference or hearing or suspension of the deadline while the Superintendent arranges for or consults with District legal counsel.
- The grievance proceedings shall focus only on the issues raised by the written grievance as filed and any related issues as the parties in interest may agree to have considered.

Attached are the forms to be completed at each level.