

STAFF COMPLAINTS AND GRIEVANCES

Grievance procedures are designed to resolve conflicts that may arise among various members of the staff. These procedures are defined in collective bargaining agreements or employee handbooks. Staff members have the right to present complaints and grievances in accordance with the established procedures free from coercion, interference, restraint, discrimination or reprisal.

A harmonious and cooperative relationship between the Board of Education, administrators, employee supervisors, and employees as a whole is to be desired. The Board intends to foster an atmosphere in which concerns and complaints may be aired and settled immediately, and informally. However, on occasion where there is a claimed violation, misinterpretation or inequitable application of laws, regulations, policies or negotiated agreements, a formal grievance procedure shall be followed.

When the aggrieved person is a member of an employee unit covered by a negotiated agreement containing a specific Grievance Procedure, that procedure shall be followed. When the aggrieved person is not a member of a unit so covered, the following Grievance Procedure shall apply.

In addition, the resolution of staff complaints alleging any action prohibited by Title IX, Section 504 of the Rehabilitation Act or the Americans with Disabilities Act (ADA) shall be dealt with in the following manner:

Stages

A. Stage I - Supervisors/Compliance Officer

1. Within thirty days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the Supervisors/Compliance Officer. The Supervisors/ Compliance Officer may informally discuss the grievance with the grievant. He/She shall promptly investigate the complaint. All employees of the school district shall cooperate with the Supervisors/Compliance Officer in such investigation.
2. Within fifteen (15) days of the receipt of the grievance, the Supervisors/ Compliance Officer shall make a finding in writing that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA. In the event the Supervisors/Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.
3. If the grievant is not satisfied with the finding of the Supervisors/Compliance Officer, or with the proposed resolution of the grievance, the grievant may, within fifteen (15) days after he/she has received the report of the Supervisors/ Compliance Officer, file a written request for review by the Superintendent of Schools.

*Stages**B. Stage II - Superintendent of Schools*

1. The Superintendent may request that the grievant, the Supervisors/Compliance Officer, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.
2. The Superintendent shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within fifteen school days of the receipt of the appeal by the Superintendent.
3. Within fifteen (15) days of the hearing, the Superintendent shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA, a proposal for equitably resolving the complaint.
4. If the grievant is not satisfied with the determination of the Superintendent, the grievant may, within fifteen (15) days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

C. Stage III - Board of Education

1. When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within fifteen (15) school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.
3. The Board shall render a decision in writing within fifteen (15) days after the hearing has been concluded.

Annual Notification

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination due to sex and/or disability to parents/ guardians, employees, eligible students, and the community. The public notice shall:

9140.1

1. Inform parents, employees, students, and the community that vocational education programs are offered without regard to sex, race, color, national origin, or disability.

Annual Notification

1. Provide the name, address, and telephone number of the person designated to coordinate activities concerning discrimination due to sex and/or disability, and
2. Be included in announcements, bulletins, catalogues, and applications made available by the district.

Cross-Ref: 0100, Equal Opportunity

Ref: Americans with Disabilities Act, 42 USC §12111-12117; 12210
General Municipal Law, Article 15-c

Adoption date: June 4, 2002
Effective: July 1, 2002
Revised: February 3, 2003
Effective Date: May 13, 2003