

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. Staff members have the right to present complaints and grievances in accordance with the established procedures free from coercion, interference, restraint, discrimination or reprisal.

The district shall implement a two-stage grievance procedure and an appellate stage for the settlement of grievances pursuant to the General Municipal Law. In addition, the district shall implement procedures and regulations and designate an employee to carry out the responsibilities under Title IX and Section 504 of the Rehabilitation Act.

Staff complaints that are not covered under the General Municipal Law, or cannot be resolved under procedures of Title IX and Section 504 shall be subject to the discretion of the Board as to the method by which the complaint may be brought.

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 handicapping condition to parents/guardians, employees, eligible students and the community. The public notice shall:

1. Inform parents, employees, students and the community that vocational educational programs are offered without regard to sex, race, color, national origin or handicapping condition;
2. Provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination due to sex and/or handicapping condition;
3. Be included in announcements, bulletins, catalogues, and applications made available by the district.

Definitions

1. Grievant shall mean an employee who alleges that there has been a violation of Title IX or section 504 Regulations which affect him/her.
2. Grievance shall mean any alleged violation of Title IX or of Section 504 Regulations.
3. Compliance Officer shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under Title IX and/or Section 504.
4. Representative shall mean any person designated by the grievant as his/her counsel or to act in his/her behalf.

The resolution of staff complaints alleging any action prohibited by Title IX and/or Section 504 of the Rehabilitation Act shall be dealt with in the following manner:

Stages

A. Stage I – Compliance Officer

1. Within thirty (30) days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the Compliance Officer. The 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 Compliance Officer in such investigation.
2. Within fifteen (15) days of the receipt of the grievance, the Compliance Officer shall make a finding in writing that there has or has not been a violation of Title IX or Section 504 of the Rehabilitation Act. In the event the 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 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 Compliance Officer, file a written request for review by the Superintendent.

B. Stage II-Superintendent of Schools

1. The Superintendent may request that the grievant, the 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 (15) 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 and/or Section 504 of the Rehabilitation Act, 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.

First Reading: September 23, 2013

Second Reading & Adoption: October 28, 2013

