

PUBLIC COMPLAINT AND GRIEVANCE PROCEDURE

The following procedure is to be utilized when attempting to resolve complaints within the Bonneville Joint School District No. 93.

The District will maintain a complete written record (Public Complaint and Grievance Response Form #4110F2) of each complaint, the manner in which it was investigated, and the manner in which it was resolved.

1. Such records will be maintained pursuant to Retention of District Records# 8605 unless circumstances dictate that the file should be retained for a longer period of time.
2. Written records, to the extent appropriate, will be maintained in a confidential manner in any affected employee's personnel file.

Level 1: Informal

1. If an individual has a complaint with a District employee arising out of the course and scope of their employment, he or she should first seek resolution by discussing the complaint with that employee with the objective of resolving the matter promptly and informally. Every effort should be made to resolve the matter at this level.
2. Complaints that allege violations of the District's sexual harassment policies 3290 Sexual Harassment-Intimidation of Students and 5250 Sexual Harassment-Sexual Intimidation in the Workplace or policy 3295 Hazing Harassment Intimidation Bullying Cyber Bullying Menacing are an exception and should be discussed with the first line administrator that is not involved in the alleged harassment.

Level 2: Principal / Supervisor

1. If the complaint is not resolved at Level 1, the complainant may submit a written complaint or grievance to the employee's immediate supervisor. The written complaint must be signed by the complainant and should sufficiently explain the facts and circumstances supporting the allegations and also include the following information:
 - a. any specific policies, rules, laws, or statutes that may have been violated;
 - b. any witnesses or other evidence supporting the allegations; and
 - c. the desired resolution to the concern.
2. The Level 2 written grievance must be filed with the principal/supervisor within sixty (60) calendar days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

3. If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the principal/supervisor shall refer the complaint to the Superintendent / designee who shall assign the investigation of the complaint to the appropriate person. The investigation of the complaint and process for resolving the complaint shall follow the procedures, rules, and laws specific to those complaints.
4. For all other complaints or grievances, the principal or supervisor shall investigate the complaint unless otherwise assigned by the Superintendent/designee.
5. Within five (5) school days of concluding the investigation, the principal or supervisor will hold an informal meeting with both parties to review the allegations and facilitate a discussion of the concerns between complainant and the employee.
 - a. This meeting shall remain informal and focus on resolution of the complaint. If it appears that a resolution cannot be reached between the complainant and the employee, the supervisor shall submit a written decision on the complaint within five (5) working days following the informal meeting.

Level 3: Superintendent / Designee

1. If either party is not satisfied with the principal's/supervisor's decision, the grievance may be advanced to Level 3 by submitting a written request to the Superintendent/designee to review the principal's/supervisor's decision.
 - a. This request must be submitted to the Superintendent/designee within fifteen (15) calendar days of the principal's/supervisor's decision.
 - b. The appeal shall identify unresolved allegations and the desired resolution.
2. Upon receipt of the written request, the Superintendent/designee shall schedule a meeting between the parties and the principal/supervisor to discuss the allegations.
 - a. The hearing shall remain informal and focus on the resolution of the complaint.
 - b. All parties shall be afforded the opportunity to either dispute or concur with the principal's/supervisor's report.
 - c. All parties will be provided the opportunity to present evidence supporting their claims.
3. If a resolution cannot be reached, the Superintendent/designee shall decide the matter within ten (10) calendar days of the meeting and shall notify the parties in writing of the decision.

Level 4: The Board

1. If the complaint is not resolved at the Superintendent/designee level, the grievance may be advanced to Level 4 by submitting a written request to the Clerk of the Board of Trustees requesting a hearing to review the principal's/supervisor's decision.
 - a. The appeal shall be submitted in writing and signed by the individual or individuals registering the appeal.
 - b. The appeal shall identify unresolved allegations and the desired resolution to the complaint.
2. The individual or employee involved shall be advised of the nature of the appeal and shall be provided notice of an informal hearing on the appeal to be held in executive session unless the charged employee requests the hearing to be held in open session.
3. Upon receipt of a written appeal of the decision of the Superintendent/designee, and assuming the appeal alleges a failure to follow Board policy, an informal hearing will be scheduled on or before the date of the next regularly scheduled meeting of the Board unless extenuating circumstances necessitate an unavoidable delay to the following regularly scheduled meeting.
 - a. The Board may appoint a hearing officer to conduct the hearing if deemed necessary by the Board Chair.
 - b. The hearing will be held in executive session if the purpose of the appeal is to make a complaint or charge against a public officer, employee, staff member, individual agent, or student of the District unless the subject of the complaint submits a request in writing to the Board Chair to hold the meeting in public.
 - c. All individuals concerned may present facts, make explanations and clarify issues. Each party shall be given a complete and fair opportunity for explanation, comments, and presentation of facts as he or she understands them.
 - d. All times set forth may be enlarged by stipulation of the parties.
4. Upon the matter being presented to the Board of Trustees, the Board may either render a written decision or an oral decision on the matter. A written decision should be made within five (5) working days of the close of the hearing.
5. The decision of the Board will be final.