

**BOARD AUTHORITY POLICY - SCHOOL BOARD PROTOCOL REGARDING
COMPLAINTS & GRIEVANCES**

MHSD Board of Trustees finds it important to establish a chain of command process with the community, district employees, students, and patrons. This protocol governs the process of the District regarding complaints, grievances, and contacting and/or engaging individual school board members to avoid violations of Idaho Code Title 74, Chapter 2 – Open Meeting Laws and to comply with the Attorney General’s Idaho Open Meeting Law Manual. The District wishes to avoid recusal of the individual school trustees from board meetings when they gather in session to address issues of importance to the District.

The MHSD Board of Trustees has established that the complainant/grievant must start at the lowest possible level in the Chain of Command to help resolve any school district issues, complaints, actions, disciplines, etc.

1. 1st Level – the complainant/grievant needs to contact the person or persons whom the complaint/grievance is about, generally a teacher or coach. Should an issue not be resolved at the 1st Level, the complainant/grievant next needs to move to the 2nd Level.
2. 2nd Level – the complainant/grievant needs to contact the supervisor of the person or persons whom the complaint/grievance is about. Should an issue not be resolved at the 2nd Level, the complainant/grievant needs to move to the 3rd Level.
3. 3rd Level – the complainant/grievant should contact the building administrator. If the issue isn’t resolved at the 3rd Level, the complainant/grievant needs to move to the 4th Level.
4. 4th Level – the complainant/grievant needs to contact the School District Superintendent. If the issue isn’t resolved at the 4th Level, the complainant/grievant should contact the Board Clerk and ask to be heard by the School Board of Trustees.
5. 5th Level – should the Board decide to hear the complaint or grievance, the Superintendent or Board Clerk will be directed to place the complainant/grievant on the next regular or special board meeting agenda. The complainant/grievant will be contacted of the date and time of the board meeting. The Board is not required to hear any complaints or grievances. The Board’s decision is final.

The Chain of Command must be followed at each level before the complaint moves to the next level, otherwise the complaint will be dismissed for failure to follow the Chain of Command.

Additional MHSD Board of Trustees Chain of Command Protocol requirements are as follows:

1. A community member, school employee, or a patron who has a complaint against a teacher for any reason needs to first contact the teacher to try to resolve the issue.
2. A community member, school employee, or a patron who has a complaint against a coach for any reason needs to first contact the coach to try to resolve the issue.
3. A community member, school employee, or a patron who has a complaint against a school district administrator for any reason needs to first contact the administrator to try to resolve the issue.

4. A school district employee including the MHEA and its officers and its membership may not contact individual trustees, they must contact the school board of trustees as a whole body by contacting the Clerk of the Board and requesting, preferably in writing, being placed on the next board agenda as a delegation no later than noon the Thursday before the regular board meeting regarding anything school district related.
 - Should the perception be that the Chain of Command was violated, and the trustee was compromised by being contacted outside of a board meeting, that trustee must recuse him/herself from any further decisions on the matter in question.
5. All school district employees including the MHEA, its officers, and its membership must start at the lowest level of command to try to resolve any concerns regarding the school district.
 - All school district employees including the MHEA, its officers, and its membership must submit to the building administrator, superintendent, or board clerk either the Certified Employee Grievance Form or the Classified Employee Grievance Form for their grievance to be heard.
6. Students must start at the lowest level possible to try to resolve any concerns or issues regarding the school district, and if necessary, file a Student Grievance Form with the building administrator, superintendent, or board clerk.
7. Patrons must start at the lowest level possible to try to resolve any concerns or issues regarding the school district, and if necessary, file a Patron Grievance as directed in the Patron Grievance Policy.

The School Board of Trustees will direct either the Superintendent or Clerk to verify that the complainant/grievant met with someone at all the required levels prior to hearing the complainant/grievant. Any trustee who receives any information of any kind regarding the complaint prior to the board hearing must recuse him/herself from any further business regarding the complaint or grievance.



LEGAL REFERENCE:

Idaho Code Sections

- 33-506 – Organization & Government of Board of Trustees
- 33-510 – Annual Meetings, Regular Meetings; Boards of Trustees
- 33-511 – Maintenance of Schools
- 33-512 – Governance of Schools
- 33-513 – Professional Personnel
- 33-701 – Fiscal Year – Payment & Accounting of Funds
- Title 74 *et seq.* – Transparent and Ethical Government
- Title 74, Chapter 1 *et seq.* – Public Records Act
- Title 74, Chapter 2 *et seq.* – Open Meeting Laws

MHSD Grievance Policy – Certified Employees 476.30

MHSD Grievance Policy – Classified Employees 476.10

MHSD Student Grievance Policy 1012.10

MHSD Patron Grievance Policy 1012

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