

GRIEVANCE POLICY FOR CERTIFIED EMPLOYEES

PURPOSE

The purpose of this grievance policy is to provide an equitable method for certified staff of School District No. 193, who has reason to believe the District is in violation of any District policy or terms of this employment contract, to bring their grievance to the attention of the proper authority.

GUIDELINES

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level shall constitute the maximum and every effort will be made to expedite the process. Time limits herein designated may be extended by mutual written agreement between the individual(s)/grievant(s) and the superintendent.

In the event a grievance is filed after May 10 of any school year and strict adherence to the time limits may result in hardship to any party, all parties should work towards an expedient solution to the grievance.

Any grievance not commenced under the provisions herein stipulated within fifteen (15) days after the grievant knew of the conditions upon which such grievance is based shall be null and void.

If a grievant fails to appeal a decision at any level within the prescribed time limits, the grievant shall be deemed to have waived the right to further processing of that grievance. Such time limit shall be ten (10) days after the conclusion of the preceding step.

If the administration, at any level, fails to respond within the prescribed time limits, the grievance may be advanced to the next step of the procedure.

Problems connected with evaluation, probation, and discharge procedures of certificated personnel, as well as for hearings and appeals including legal representation, for certificated staff members who feel that their rights in relation to employment have been violated are not considered grievable under this procedure. Provisions for such are provided for in Sections 33-513, 33-514, 33-514A, 33-515, 33-515A, 33-516, 33-1209, Idaho Code.

Copies will be filed in triplicate by the grievant as follows:

- ◆ One (1) copy to the party against whom the grievance is being filed,
- ◆ One (1) copy to the appropriate administrator,
- ◆ One (1) copy to the Clerk of the Board, who in turn, is responsible for distributing copies to the District Superintendent, District Assistant Superintendent, and each trustee. A copy may also be given to District Contracted Lawyers.

No other copies of the grievance will be released to a third party, without mutual written agreement of the parties involved.

No reprisals of any kind will be taken by the Board or administration against any employee because of his or her participation in this grievance procedure.

A written grievance shall meet the following specifications:

- a. It shall be specific.
- b. It shall contain a synopsis of the facts giving rise to the violation or misinterpretation.
- c. It shall contain the specific section of the policy or regulation, which shall allegedly have been violated.
- d. It shall state the relief requested.
- e. It shall contain the date of the alleged violation.
- f. It shall be signed by the grievant.

All documents, communications, and records dealing with the processing of a grievance shall be filed separately from the personnel files of the participants. Such documents will be addressed pursuant to the provision of Section 33-1210, Idaho Code, upon separation of employment.

A grievance may be withdrawn at any level without establishing precedent.

At any step in the grievance process, representatives and/or witnesses may be present if requested by either party.

DEFINITIONS

A grievance is a belief that an agent of the Board of Trustees of School District No. 193 has violated District policy or terms of this employment contract.

Aggrieved party or person: “aggrieved party or person” is a certified employee of School District No. 193.

Party in interest: a “party in interest” is a certified employee who might be required to take action, or against whom action might be taken or the Board of Trustees in order to resolve a grievance.

Day: a “day,” as used in this grievance policy, means any day Monday through Sunday exclusive of holidays.

LEVELS OF RESOLUTION

1. Grievance is submitted to the building principal for potential resolution.
2. Grievance is submitted to the superintendent or designee for potential resolution.
3. Grievance is submitted to the school board for potential resolution.

PROCEDURES - These procedures are to be followed:

1. At each step, the grievance and the response to the grievance will be in writing.
2. The grievant will, at their discretion, have the right to Association and/or legal representation at each step.
3. Unless mutually agreed, no more than ten (10) days shall pass between each level. Failure to answer at any step will allow the grievant to proceed to the next level.
4. It is mandatory that the Grievance Procedure Form itself be completed and submitted along with other written correspondence for the grievance to be valid. If the form isn't submitted, the grievance will be considered null and void.
5. The Board's decision is final and no further action(s) will be taken.

PROCEDURE BY-PASS

Grievances involving two (2) or more employees, grievances involving an administrator above the building level, or those grievances promulgated by the Board may be initially filed at Level 2 of the procedure.

ADOPTED: December 21, 1976
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