

STAFF COMPLAINTS AND GRIEVANCES

Section 1. Definitions

- a. **Grievance:** A grievance is an assertion by an aggrieved party that there has been a violation, a misinterpretation, or inequitable application of any provision of Board policy, rule, regulation or procedure, or an assertion of discrimination on the basis of race, color, national origin, sex, age, disability, or religion. The term "grievance" shall not apply to matters of employment, continued employment (termination, dismissal or suspension), content of evaluations, or any matter defined as a contested case under the Wyoming Administrative Procedure Act.
- b. **Aggrieved Party:** An aggrieved party is any employee of the School District who asserts a grievance.
- c. **Supervisor:** A supervisor is any employee with immediate supervisory and rating responsibility over other employees.

Section 2. Purpose. As problems may arise, good morale will be maintained by the expeditious and sincere efforts of all individually concerned to work toward constructive solutions in an atmosphere of courtesy and cooperation.

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solution to any problem which may, from time to time, arise. As appropriate at all levels, the proceedings will be kept informal, expeditious and confidential.

Section 3: Non-limiting. Nothing herein contained shall be construed as limiting the presently existent right of any school employee having a grievance to discuss the matter informally with the appropriate member of the administration.

Section 4. Stages of Grievance Procedure

- a. **Level I**
 - i. **Problem Identification:** The aggrieved party will notify, in writing, his supervisor of his/her grievance in sufficient detail so that the problem can be understood. This document will constitute the complaint of grievance for subsequent stages subject to written amendment or supplement.
 - ii. **Meeting:** The supervisor will schedule a meeting within 10 days for discussion of the grievance. If the grievance involves other district employees who may be parties in interest, notice will be given such person or persons and an opportunity afforded to be present at all sessions concerning the grievance. All participants shall have the right to freely express their opinions in an effort to resolve the

matter informally to the satisfaction of everyone. The supervisor may also meet separately with the concerned parties.

- iii. **Written Decision:** A written decision will be made and filed within five (5) days by the supervisor.
- iv. **Directly Involving Supervisor:** In the event the problem of the aggrieved party directly involved the immediate supervisor of the aggrieved party, the superintendent shall act as the supervisor for purpose of the Level I grievance procedure, and in the event an appeal is necessary, the Level III procedure will be followed.
- v. **Directly Involving Superintendent:** In the event the problem of the aggrieved party directly relates to the superintendent, the Board of Trustees shall act as the supervisor for the purpose of the Level I grievance procedure. In this situation, the decision of the Board will be made and filed within ten (10) days after the date of conclusion of the hearing and shall be final.

b. Level II

- i. **Appeal:** An appeal from the supervisor's decision may be taken by any party in interest within 10 days after the date of filing of the decision, by filing an appropriate notice.
- ii. **Meeting:** A meeting will be held within ten (10) days after receipt of the written notice of appeal by the superintendent. Unless waived by the party filing the appeal, the superintendent shall give forty-eight (48) hours notice of the time, date and place of the meeting.
- iii. **Decision:** A written decision will be made and filed within 10 days after conclusion of the meeting.

c. Level III

- i. **Appeal:** An appeal by any party in interest for a hearing before the Board of Trustees may be taken by filing a written notice within 30 days after the entry of the superintendent's decision.
- ii. **Board Hearing:** Within ten (10) days after receipt of written notice of appeal, the Board shall schedule an informal hearing which may be held in executive session. Notice shall be given to all parties in interest.
- iii. **Decision:** The decision of the Board will be made and filed within ten (10) days after the date of conclusion of the hearing and shall be final. The decision of the Board shall be the final step of the grievance procedure.

In order to institute the procedures afforded herein, notice of a grievance must be filed with the supervisor within 30 days after the aggrieved person knew or should have known, of the act or condition on which the grievance is based.

Section 5. Optional Discrimination Complaint Procedure.

Anyone who believes that he/she has been discriminated against, also has the option to utilize Board policy AC-R or file complaints with the Office for Civil Rights, Region VIII, United States Department of Education, Federal Building, Suite 310, 1244 Speer Blvd., Denver, Colorado 80204-3582.

Section 6. For purposes of this policy, "day" shall not include weekends or holidays.

Adopted: 10/11/10