

Lakeland Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Complaints and Grievances	Descriptor Code: 5.501	Issued Date: 05/11/15
		Rescinds: 5.501	Issued: 04/13/15

1 EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES

2 The Board believes that differences of opinions arising in the course of employment should be resolved
3 as quickly as possible and at the lowest supervisory level.

4 In instances of questions by an individual staff member concerning the interpretation of policies and
5 procedures to that staff member, administrative practices within the staff member's particular school,
6 and relationships with other employees, the staff member concerned must consult the administrative or
7 supervisory personnel to whom they are responsible. If a satisfactory resolution of the problem cannot
8 be reached after ample opportunity for consideration of the matter, the staff member concerned may
9 discuss the matter with the next level of supervision up to and including the superintendent.

10 In instances where an individual staff member feels, for personal reasons, that they cannot discuss a
11 problem with his/her immediate superior, the staff member may take the problem directly to the
12 superintendent. After review of the case, the superintendent shall take action as they deem appropriate
13 and within a prompt, reasonable time shall notify all parties concerned of his/her decision.

14 HARASSMENT/DISCRIMINATION GRIEVANCES

15 Employees should notify any district complaint manager if they believe the Board, its employees or
16 agents have violated their rights guaranteed by the state or federal constitution, state or federal statute or
17 board policy including: ^{1,3,4}

- 18 1. Title II of the Americans with Disabilities Act ²
- 19 2. Title IX of the Education Amendments of 1972 ⁷
- 20 3. Section 504 of the Rehabilitation Act of 1973 ⁵
- 21 4. Claims of sexual harassment under Title VII of the Civil Rights Act of 1964 and Title IX of the
22 Education Amendments of 1972 ^{6,7}

23 The complaint manager will endeavor to respond and resolve complaints without resorting to this
24 grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The
25 right of a person to prompt and equitable resolution of the complaint shall not be impaired by the person's
26 pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other
27 remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit
28 of other remedies.

- 29 1. Filing a Complaint — An employee who wishes to avail themselves to this grievance procedure
30 may do so by filing a complaint with any district complaint manager. The complaint manager
31 may assist the employee in filing a grievance.

- 1 2. Investigation — The complaint manager will investigate the complaint or appoint a qualified
2 person to undertake the investigation on his/her behalf. The complaint and identity of the
3 complainant will not be disclosed except (1) as required by law or this policy; or (2) as necessary
4 to fully investigate the complaint; or (3) as authorized by the complainant. The complaint
5 manager shall file a written report within ten (10) days of the filing of the grievance, of his or her
6 findings with the superintendent. If a complaint of sexual harassment contains allegations
7 involving the superintendent, the written report shall be filed with the Board.
- 8 3. Decision and Appeal — After receipt of the complaint manager's report, the superintendent shall
9 render a written decision within five (5) days of the receipt of the report that shall be provided to
10 the employee. If the employee is not satisfied with the decision, the employee may appeal the
11 decision to the Board by making a written request to the complaint manager. The complaint
12 manager shall be responsible for promptly forwarding all materials relative to the complaint and
13 appeal to the Board. Thereafter, the Board shall render within thirty (30) days from the date the
14 appeal was received, review the report and affirm, overrule or modify the decision and render a
15 written finding that shall be provided to the complainant. This grievance procedure shall not be
16 construed to create an independent right to a Board hearing.

17 **APPOINTING COMPLAINT MANAGERS**

18 The superintendent shall serve as the complaint manager and may be contacted as follows:

19 Lakeland School System Superintendent
20 10001 Highway 70
21 Lakeland, Tennessee 38002
22 901.867.5412

Legal References

1. Age Discrimination Employment Act, 29 U.S.C. § 621 et seq.
2. Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.
3. Equal Pay Act, 29 U.S.C. § 206(d)
4. Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.
5. Rehabilitation Act, 29 U.S.C. § 791 et seq.
6. Title VII of Civil Rights Act, 42 U.S.C. § 2000e et seq.
7. Title IX of the Education Amendments, 20 U.S.C. § 1681 et seq.