

Grainger County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Grievance Procedure	Descriptor Code: 6.305	Issued Date: 08/21/01
		Rescinds: 6.305	Issued: 10/20/98

1 The Grainger County Board of Education will comply with the grievance procedure as set forth under Title
2 VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Title II of the Americans
3 with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act of 1973.

4 5 **DEFINITIONS**

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7 *Grievance:* A grievance is a complaint by any member of the certified staff, support staff, parents or
8 student body of an alleged violation of any policy, procedure or practice which would be
9 prohibited by Title VI, Title IX, Title II or Section 504.

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11 *Title VI:* Refers to Title VI of the Civil Rights Act of 1964 concerning discrimination on the basis
12 of race, color, national origin, sex and handicap.

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14 *Title II:* Refers to Title IX of the Education Amendments of 1972 concerning discrimination on
15 the basis of sex.

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17 *Section 504:* Refers to Section 504 of the Rehabilitation Act of 1973 concerning discrimination on the
18 basis of handicap.

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20 *Days:* Refers to school attendance days for grievances filed by, or on behalf of, students and shall
21 exclude Saturday, Sunday or any holiday.

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23 *Time Limit:* A grievance must be filed within thirty (30) calendar days of the occurrence of the alleged
24 violation.

25 26 27 **PROCEDURES**

28 29 *Level One (Informal Procedures):*

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31 The aggrieved person must first discuss his/her grievance with the individual alleged to have committed
32 the violation in an effort to resolve the matter informally. The aggrieved person and the individual alleged
33 to have committed a violation of law shall confer with a view toward arriving at a mutually satisfactory
34 resolution of the complaint. At the conference, the aggrieved person may appear alone or be accompanied
35 by his/her parents or legal guardian.

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2 **Level Two (Formal Procedures):**
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4 **Step 1 - Written Complaint and Meeting With Building Principal:** If as a result of the discussion between
5 the complainant and supervisor, the matter is not resolved to the satisfaction of the complainant, then within
6 five (5) school days he/she shall set forth his/her grievance in writing to the building principal specifying:
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- 8 a. the nature of the grievance;
9 b. the nature or extent of the injury, loss, or inconvenience;
10 c. the remedy expected;
11 d. the results of the previous discussion; and
12 e. dissatisfaction with decisions previously rendered.
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14 The building principal shall, within three (3) school days, schedule a meeting with the parties involved.
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16 **Step 2 - Director of Schools' Investigation:** If the complaint cannot be resolved as provided in Step 1
17 above, the grievant shall submit the complaint to the director of schools within five (5) days following the
18 meeting with the building principal. The director of schools shall conduct an investigation, and must render
19 a written decision within ten (10) days. The grievant shall be furnished a copy of the director's decision.
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21 **Step 3 - Board of Education:** If the complaint is not resolved through the director of schools, the griev-
22 ant may appeal the decision of the director of schools to the Board of Education. The Board shall within
23 ten (10) days meet and review the complaint. Within three (3) days following the review, the Board must
24 either schedule a hearing within ten (10) days or notify the grievant that no hearing is warranted. Members
25 of the Board, persons accused of discrimination and any witnesses of the alleged discrimination shall also
26 be notified of the hearing.
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28 The Board shall present a written recommendation to the director of schools within ten (10) days of the
29 hearing. The grievant and the person accused of discrimination may be accompanied by legal counsel or
30 an advisor. Legal counsel or advisors will not be permitted to speak for their client and may act only in
31 an advisory capacity. The director of schools will review the recommendations of the Board and take ap-
32 propriate steps as expeditiously as possible. The decision of the Board shall be final, except the grievant
33 may appeal such decision to State or federal court as provided by law.
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35 **FAILURE TO OBSERVE TIME LIMITS**
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37 If the grievant fails to exhaust these remedies, or to abide by the time limits provided, the grievance shall
38 be presumed to be abandoned. If any party fails to respond to the grievant as provided herein, the grievant
39 shall have the right to proceed to the next step.
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41 **EFFECT OF SETTLEMENT**
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43 Any settlement of a grievance shall be applicable to that grievance only and shall not be binding authority
44 for the disposition of any other grievance. The above grievance procedure shall be available to any em-
45 ployee, student, parent, or legal guardian of the Grainger County School System.
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MISCELLANEOUS

1. No record of the grievance shall be entered in the permanent file of the student.
2. Records shall be kept of each grievance and will remain confidential.
3. No person shall be subject to discharge, suspension, discipline, harassment or any form of discrimination for having used or assisted others in using the grievance process.