

Shoshone Joint School District No. 312

STUDENTS

3210

Grievance Procedure

This procedure is established in order to provide a formal method for the resolution of any grievance concerning the treatment of students by District personnel, which is alleged to violate either District policy or student legal rights. These formal procedures should not be used unless informal conferences with the appropriate teacher(s) and principal do not resolve the matter to the satisfaction of the grievant.

A grievance may be brought by any student or the parents of such students whose rights under any District policy or applicable law have allegedly been violated. However, when a grievance is brought by a minor student, the parent(s) or guardian(s) must be a party to the proceedings.

Grievances should be settled as close as possible to their point of origin. It is important that grievances be settled quickly. The number of days specified on each level should be considered a maximum, but may be extended by mutual agreement.

All hearings should be as informal as possible, but must be conducted in accordance with due process. A grievant may be represented by counsel and shall be allowed to introduce all relevant evidence and to cross-examine adverse witnesses. A grievant who chooses to be represented by counsel must give sufficient advance notice to enable the School District to be likewise represented. All decisions shall be in writing, shall be confined to matters brought forth in the hearing, and shall state the facts and reasoning upon which they are based.

If mutual agreement cannot be reached, the grievant shall be given reasonable notice of the time and place for the hearing. All such hearings shall be private except that any hearing before the Board shall be public unless the grievant declares the subject matter to be private and the Board chooses to go into executive session.

The District Superintendent shall be consulted whenever sex discrimination is alleged in a formal grievance.

Level One

Grievants who cannot resolve a matter informally may submit a grievance in writing to the principal of the school in which the grievance arose. All grievances must be submitted within ten school days after the date on which the action complained of has occurred. It must clearly state the District policies or student legal rights, which are alleged to have been violated.

A hearing may not be necessary at this level because the principal may have become aware of all pertinent information through previous informal conferences. However, a hearing will be held at the request of either the principal or the grievant. Such hearing shall be held within five school days after the grievance is submitted unless a later date is mutually agreeable.

The principal shall render a decision within three school days after submission of the grievance or holding of a hearing as appropriate.

If the grievant is not satisfied with the decision or if no decision is given within the allotted time, the grievance may proceed to level two, provided that notice of appeal is made within five school days.

Level Two

Grievances may be initiated at this level by the filing of timely notice of appeal with the Superintendent within five school days. Such notice must be in writing and accompanied by copies of the original grievance and the decision if any, made at level one.

If the notice of appeal contains a request for a hearing or the Superintendent believes one to be necessary, a hearing shall be held within ten school days of such notice unless a later date is agreeable to both parties.

The Superintendent shall render a decision within five school days of the notice of appeal or hearing as appropriate. If the grievant is not satisfied with the decision or if no decision is given within the allotted time, the grievance may be taken to level three provided that notice of appeal is made within ten school days.

Level Three

The grievant may request a hearing before the School Board by submitting timely notice of appeal with the Superintendent within ten school days. Such notice shall be accompanied by a copy of the original grievance and the decisions, if any, made at levels one and two. In addition, such notice shall contain a statement of reasons why such decisions are unacceptable.

If the Board chooses not to hear the appeal, the grievant will be so notified. If the Board chooses to hear the appeal, the grievant will be given reasonable notice of the time and place of the hearing. The Board will render a written decision within a reasonable time following the hearing.

Policy History:

Adopted on: June 10, 2008

Revised on:

Shoshone School District #312, Idaho