

District: Scott County School District
Section: G - Personnel
Policy Code: GAE - Staff Complaints and Grievance

STAFF COMPLAINTS AND GRIEVANCES

FOR LICENSED STAFF

DEFINITIONS

The following definitions shall apply for interpreting and executing this policy:

1. A “grievance” is a complaint by a bona fide licensed employee based upon an alleged violation of his/her rights under state or federal law or Board policy. Please note, however, that all grievances involving allegations of unlawful discrimination/harassment based on a protected characteristic will be processed under Policy GACN-P (Prohibition of Unlawful Discrimination/Harassment and Complaint Reporting Procedure for Employees).
2. A “grievant” is a bona fide licensed employee who submits a grievance while holding a position within the Scott County Public School District which requires a valid license issued by the Mississippi State Department of Education.
3. The term “days” shall mean days on which licensed staff members are scheduled to work.

The Board of Education of the Scott County School District encourages licensed employees to settle grievances informally if at all possible. The license employee and the principal or immediate supervisor should attempt to secure an equitable resolution to the grievance.

In instances where a licensed employee deems that the attempt to reach an equitable resolution of the grievance with the principal or immediate supervisor is unsatisfactory after ample opportunity for consideration of the matter, the licensed employee must follow the grievance procedure set forth below.

An equitable resolution of the grievance is at all times the objective of the district. If a resolution acceptable to all concerned is reached at any step in the grievance process subsequent to the submission of the grievant’s written and signed statement, an appropriate entry shall be recorded to document the acceptable resolution of the grievance. The grievant may discontinue the grievance process at any step by providing written notification to the principal, immediate supervisor or the Assistant Superintendent.

PROCEDURE FOR PROCESSING GRIEVANCES

Level One

1. All grievances, as defined above, must be presented orally to the principal or immediate supervisor within five (5) days of the act or omission complained of, and the

- principal/supervisor and grievant will attempt to resolve the matter informally.
2. If the grievant is not satisfied with the action taken or the explanation given by his/her principal or supervisor the grievant shall, within (5) days after meeting with his/her principal or supervisor, state in writing his/her specific grievance(s) and specific resolution requested. The written statement shall contain, in addition to the above, the time, place, and nature of the alleged act or omission and the state or federal law or Board policy violated. The statement must be signed by the grievant and submitted to his/her principal or supervisor.
 3. In the event the grievant does not submit to his/her principal or supervisor a written statement as required, his/her failure to do so shall be deemed as an acceptance of the informal decision rendered by his/her principal or supervisor.
 4. Within five (5) days after receiving the grievant's signed statement, the principal/supervisor shall send to the Assistant Superintendent a copy of the grievant's statement, along with a statement from the principal or supervisor setting forth his/her response to the grievant and/or his/her decisions, as applicable. At the same time, the principal or supervisor shall also provide a copy of his/her written statement to the grievant.
 5. In the event that a grievance is filed against one of the individuals named in the established procedures for hearing grievances, the step requiring a hearing by that individual may be eliminated and the appeal may be submitted to the next level, or the administration may substitute a district administrator to hear the grievance.

Level Two

1. Within ten (10) days after receiving the grievant's signed statement and the principal's signed statement, the Assistant Superintendent shall provide to both the grievant and his/her supervisor a written statement when he/she has reached a conclusion based on his/her findings.
2. The grievant or supervisory personnel may discontinue the grievance procedure at this step or choose to pursue it within five (5) days by notifying the Assistant Superintendent in writing of his/her decision to continue the grievance procedure.
3. If the Assistant Superintendent is not able to resolve the grievance to the satisfaction of the grievant and/or the supervisory staff member involved, the Superintendent will begin consideration of the grievance no later than ten (10) days following receipt of the written statement by the grievant or the supervisor from the decision by the Assistant Superintendent. The Superintendent shall notify the grievant of the date, time, and place upon which the matter will be considered by the Superintendent.
4. In the event the grievant does not personally attend the meeting scheduled by the Superintendent, his/her failure to attend shall be deemed as an acceptance of the written decision rendered by his/her principal or supervisor at Level One.
5. The Superintendent shall render a written decision to the grievant within five (5) days after the date the Superintendent's meeting concludes.

Level Three

1. If the grievance is not resolved to the satisfaction of the grievant at Level Two, or if the Superintendent does not render a decision within five (5) days, the grievant may file the grievance with the Scott County Board of Education. Written appeals shall be made through the office of the Superintendent. The grievant has five (5) days to make the appeal to the Scott County Board of Education.

2. With regard to staff grievances, the Board of Education reserves three basic rights: (1) it may elect not to hear the grievance and let the ruling of the Superintendent or the Assistant Superintendent stand; (2) it may elect to make a ruling based on available information but not provide a forum for the grievant to present his/her case; or (3) it may elect to provide a forum for the grievant to make a final argument prior to making a ruling in the matter.
3. The Board of Education shall have the right to review all prior written documents and records of the levels specifically involved in the grievance procedures leading to the appeal to the Board.
4. An employee involved in the final argument may be represented by legal counsel at the employee's own expense.
5. The meeting of the Board of Education hearing the final argument shall be held in executive session, and the Board shall not be bound by rules of evidence during the argument nor be required to follow established court procedures. The Board shall have the power to limit the argument and any related discussion.
6. A record of the final argument will not be made.
7. The district shall maintain a file of formal grievances and final disposition, and a copy of the final disposition.

NON-LICENSED STAFF

The Board of Education of the Scott County Public School District adopts the following grievance procedures for non-licensed employees.

DEFINITIONS

The following definitions shall apply for interpreting and executing this policy concerning non-licensed staff:

1. A "grievance" is a complaint by a bona fide non-licensed employee based upon an alleged violation of his/her rights under state or federal law or Board policy. Please note, however, that all grievances involving allegations of unlawful discrimination/harassment based on a protected characteristic will be processed under Policy GACN-P (Prohibition of Unlawful Discrimination/Harassment and Complaint Reporting Procedure for Employees).
2. A non-licensed "grievant" is an employee holding a position of employment which does not require a valid license issued by the Mississippi State Department of Education.
3. The term "days" shall mean working days, but shall not include days on which school is not in session.

The Board of Education of the Scott County School District encourages non-licensed staff members to settle grievances informally if at all possible. Work place and/or employment decisions which are perceived to adversely affect a non-licensed staff member may be addressed by the non-licensed staff grievance procedure outlined below.

PROCEDURE FOR PROCESSING NON-LICENSED GRIEVANCES

1. All grievances must be presented orally to the principal or immediate administrative supervisor within five (5) days of the act or omission complained of, and the principal/supervisor and grievant are directed to attempt to resolve the matter informally.
2. If the grievant is not satisfied with the action taken or the explanation given by his/her principal or immediate administrative supervisor, the grievant shall, within (5) days after

meeting with his/her principal or supervisor, state in writing his/her specific grievance(s) and the specific resolution requested. The written statement shall contain, in addition to the above, the time, place, and nature of the alleged act or omission and the state or federal law or Board policy believed violated. The statement must be signed by the grievant and submitted to his/her principal or immediate administrative supervisor.

3. Upon receiving the written appeal, the immediate administrative supervisor shall schedule a conference with the grievant making the appeal within five (5) days after receipt of the written grievance. Within five (5) days after the conference is held, the immediate supervisor shall reach a decision, reduce the same to writing, provide a copy to the grievant and deliver a copy to the Assistant Superintendent.
4. If the grievance is not resolved to the grievant's satisfaction, the grievant may appeal may to the Assistant Superintendent in writing within five (5) days after receipt of the decision by the immediate administrative supervisor. Within five (5) days after receipt of the appeal, the Assistant Superintendent will schedule a conference with the grievant making the appeal. Within five (5) days after the conference concludes, the Assistant Superintendent will issue his/her written decision.
5. If either the grievant or the grievant's immediate administrative supervisor is not satisfied with the written decision of the Assistant Superintendent, an appeal may be made to the Superintendent in writing within five (5) days after receipt of the decision by the Assistant Superintendent. Within five (5) days after receipt of the appeal, the Superintendent will schedule a conference with the person making the appeal and the Assistant Superintendent. After the conference concludes, the Superintendent will issue his/her written decision.

The decision of the Superintendent shall be final.

[/Portals/scott/Exhibits/SCSD Grievance Form-1.pdf](#)

Adopted Date: 4/8/2014

Approved/Revised Date: 6/12/2018