

GRIEVANCE AND COMPLAINT POLICIES

Any employee of the Lafayette Parish School Board shall have the right to appeal the application of policies and administrative decisions which affect him/her. The employee shall be assured freedom from restraint, interference, coercion, discrimination or reprisal in presenting an appeal with respect to a personal grievance.

All grievances shall be handled expeditiously and according to the procedures adopted by the Lafayette Parish School Board.

A. DEFINITIONS

1. A grievance is a claim by an individual that he/she has suffered harm or injury by the interpretation, application or violation of a contract, a school board policy, a law or constitutionally guaranteed right. The term "grievance" does not include matters for which the method of review is prescribed by law (*e.g.*, employee termination) or where the school board is without authority to act (*e.g.*, employee lack of certification).
2. Any claim by an individual that there has been a violation of rights shall be a grievance and shall be resolved through the procedures set forth herein.
3. An "aggrieved person" is the person making the claim.
4. A "respondent" is the person or persons responsible at each level of the procedure for responding to the claim of the aggrieved person.
5. "Party in interest" is the person making a claim (aggrieved person) and any person or persons who might be required to take action or against whom action might be taken in order to resolve the claim (respondent).
6. The term "days" shall mean working days.

B. PURPOSE

1. The primary purpose of this procedure is to secure, at the most immediate level possible, equitable solutions to a claim of the aggrieved person. Both parties agree that these proceedings shall be kept as confidential as possible at each level of procedure.

C. PROCEDURE

1. Grievances shall be processed as rapidly as possible. The number of days indicated at each level are a maximum, and every effort shall be made to expedite processing the grievance.

a. **Level One** - An employee with a grievance must first discuss it orally with his/her immediate supervisor or principal. Within five (5) days thereafter, the supervisor or principal shall render an oral decision.

b. **Level Two** - In the event the aggrieved person is not satisfied with the disposition of his/her grievance at Level One, or if no decision has been rendered within five (5) days after presentation of the grievance, the aggrieved person shall present the grievance in writing on the official grievance form to the immediate supervisor or principal specifying:

- (1) The nature of the grievance; and
- (2) The nature or extent of the injury, loss, or inconvenience; and
- (3) The results of previous discussions; and
- (4) The dissatisfaction with decisions previously rendered.

This written grievance must be presented to the immediate supervisor or principal within five (5) days after the employee's receipt of the Level One oral decision or five (5) days after the oral deadline. The immediate supervisor or principal shall communicate his/her decision on the grievance to the aggrieved person within five (5) days of receipt of the written grievance. In communicating his/her decision, the immediate supervisor or principal shall also notify the aggrieved person of the name of the staff person to whom that decision may be appealed.

c. **Level Three** - In the event the aggrieved person is not satisfied with the disposition of his/her grievance at Level Two, or if no decision has been rendered within five (5) days from the date of receipt of the grievance by the immediate supervisor or principal, the aggrieved person may, within five (5) school days thereafter, appeal to the member of the Central Office staff who has jurisdiction to deal with and help resolve the matters stated in the grievance. The appeal shall be in writing and shall set forth the same types of information called for at Level Two. The Central Office staff person charged

with the responsibility of handling Level Three of this procedure may meet with the parties in interest, but, in any event he/she must render a decision on the grievance within ten (10) days from the date of his/her receipt of it.

- d. **Level Four** - In the event the aggrieved person is not satisfied with the disposition of his/her grievance at Level Three, or if no decision has been rendered within ten (10) days from the date of receipt of the grievance by the Central Office staff member with jurisdiction, the aggrieved person may appeal to the Superintendent. The appeal shall be in writing and shall set forth the same types of information called for at Level Two. The Superintendent may meet with the parties in interest, but in any event, he must render a decision on the grievance within ten (10) days from the date of his receipt of it.

- e. **Level Five** - In the event the aggrieved person is not satisfied with the disposition of his grievance at Level Four or if no decision has been rendered within ten (10) days from the date of receipt of the grievance by the Superintendent, the aggrieved person may request in writing, that the Superintendent place the grievance on the agenda for the next regularly scheduled meeting of the Board. Such written request must include the same types of information called for at Level Two, and copies of all decisions previously rendered in connection with the grievance must be attached to the request for a hearing before the Board. The request for a hearing before the Board must be made no later than ten (10) days after receipt by the aggrieved person of the decision of the Superintendent, at Level Four or if no decision was rendered by the Superintendent, no more than ten (10) days following the last date on which the Superintendent could have rendered such decision.

The hearing shall be conducted as informally as possible, and all parties in interest shall be given the opportunity to present evidence in support of their positions. After hearing from all such parties, the Board shall render its decision on the merits of the grievance at that Board meeting or at the next regularly scheduled Board meeting.

D. MISCELLANEOUS

- 1. At each level, beginning with Level Two, the respondent shall issue a signed and dated receipt of the grievance.

- 2. A grievance may be withdrawn at any level without prejudice or record. Additionally, there shall be no recrimination against a person because a grievance has been filed in accordance with the provisions outlined herein.

3. Copies of all written decisions of grievances shall be sent to all parties involved.
4. All documents, communications, or records dealing with a grievance shall be made a part of the personnel files of the participants provided the grievance has not been withdrawn.
5. Appeals of grievance decisions will be limited to the specific issues raised in the original grievance. The parties in interest will not be allowed to expand the issues during the grievance procedures, except to the extent necessary to respond to administrative decisions made along the way.
6. Failure by the aggrieved person to meet the timelines and requirements of this procedure shall result in dismissal of his/her grievance. Failure by respondent to meet timelines and requirements of this procedure shall allow the aggrieved person, at his/her option, to proceed to the next level of appeal.
7. If the aggrieved person voluntarily or involuntarily leaves the employment of the Board during the pendency, at any level of a complaint or grievance, then such aggrieved person loses the right to continue the complaint process.

E. REPRESENTATION

1. An "aggrieved person" shall have the right to present his own grievance or may designate a representative to appear with him at any level of the grievance procedures.
2. The "aggrieved person" who chooses to have representation shall provide advance notice of that decision in writing to the superior at the respective procedural level at least two (2) days prior to the hearing on the grievance.

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