



Boulder Valley School District
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STAFF CONCERNS/COMPLAINTS/GRIEVANCES

Grievance Procedure for Administrative Team Members

The purpose of these regulations shall be to secure, at the lowest possible level, reasonable and equitable solutions to problems that may from time to time arise involving the interpretation or application of the officially adopted policies of the Board, written administrative regulations, and job descriptions.

1. Any member of the administrative team who feels that a serious misinterpretation or misapplication of policy, written administrative regulation, or job description has taken place, may pursue his concern through appropriate administrative levels to the Board of Education.
2. If discussion does not resolve the concern at the first level, a written statement should be submitted to the first level and to succeeding levels until the problem is resolved or the Board of Education has rendered a decision.

Grievance Procedure for Employees Not Represented by a Bargaining Unit

Recognized by the Board

A. Definitions

1. An "employee" shall mean an employee of the Boulder Valley School District who is not represented by a bargaining unit recognized by the Board of Education.
2. A "reviewable issue" shall mean a claim by an employee of a material violation of Board of Education policies or administration regulations relating to terms and conditions of employment. The term "reviewable issue" shall not apply to any matter for which the method of review is prescribed by law and shall not apply to any subject over which the Board of Education has no authority to act.
3. The term "days" when used in this article shall mean weekdays; thus, weekends or holidays are excluded.

B. Purpose

Good morale is maintained, as problems arise, by sincere efforts of all persons concerned to work toward constructive solutions in an atmosphere of good will, mutual respect, and candor.

The purpose of this procedure is to secure, at the lowest possible administrative level, equitable solutions to concerns which may from time to time arise. These proceedings will be kept as informal and confidential as shall be appropriate at any level of the procedure.

C. Procedure

An employee with a reviewable issue will first discuss it with his or her immediate supervisor with the objective of resolving the matter informally.

1. Level I

If the employee is not satisfied with the disposition of the claim, the employee may file a written request with the principal or second-level administrative officer within five days after the informal discussion required. The written request for review shall state the particular policy, practice, rule, or unsafe conditions that form the basis of the request for review. The principal or second-level administrative officer shall hold a hearing with the parties in interest within five days after receipt of the written request for review and shall provide a written answer to the issue within five days after the hearing. The answer shall include the reason(s) upon which the decision was based.

2. Level II

If the employee is not satisfied with the disposition of the complaint at Level I, the employee may within ten days request that the matter be reviewed by the Superintendent. The Superintendent or designee shall review this material concerning the dispute and may arrange for a hearing with the employee and/or the appropriate supervisor to obtain additional information or for investigation as required. Upon completion of the investigation, or hearing, the Superintendent or designee shall have ten days to provide a written decision. The decision shall state the reason(s) upon which it is based.

3. Level III

If the employee is not satisfied with the disposition of his claim at Level II, he may within ten days file a written request for review by the Board of Education. Such request must be made through the Superintendent at least ten days prior to the regularly scheduled Board of Education meeting at which time the reviewable issue is to be considered. The Board of Education shall have the sole authority to determine whether further review is required and shall take one of the following actions at the next regular meeting of the Board following receipt of the employee's request for review: (1) Affirm or overrule the decision of the Superintendent or designee, upon the information gathered during the previous proceedings. (2) Submit the matter for further hearing before the Superintendent or another officer designated by the Board of Education with the request for specific findings, conclusions, and recommendations within 45 days. Such findings, conclusions, and recommendations will be advisory only to the Board of Education. (3) Authorize advisory arbitration proceedings. In such case, the issue to be presented to the arbitrator must be a joint statement of the two parties,

or the statements from each party must be submitted together. The cost for the service of the arbitrator will be shared equally by the School District and the employee. Following receipt of the arbitrator's recommendations, the Board of Education shall enter its findings, conclusions, and decisions within 45 days. (4) Schedule a hearing before the Board of Education at a time to be determined by the Board. Following such a hearing, the Board of Education shall enter its findings, conclusions, and decisions within 45 days.

D. General Provisions

1. At all hearings provided for in this regulation, the employee shall have the right to question any witnesses presenting material relative to the matter in issue and shall have the right to present such witnesses as the employee may deem necessary to develop the facts pertinent to the matter in issue. All documentary materials pertinent to the issue shall be made available to the employee. The employee may be accompanied at any of the hearings or fact-finding investigations by any advisor the employee deems to be appropriate or necessary.
2. No issue shall be recognized by the administration or Board of Education unless it shall have been raised at the first level within 60 days after knowledge of the facts that form the basis for the complaint; failure to do this will cause the right to appeal to be forfeited.