



NOTICE AND AGENDA
SPECIAL MEETING OF THE GOVERNING COUNCIL OF
SOUTHWEST AERONAUTICS, MATHEMATICS & SCIENCE ACADEMY
(See Special Procedures Below)

October 26, 2020

4:30 p.m.

Internet/Call-in

SAMS MISSION

The mission of the Southwest Aeronautics, Mathematics and Science Academy is to prepare students, with attention to high-risk students, in grades 7-12 in an integrative STEM 21st century educational environment which offers a unique option in aeronautics. Students will be competent in the reading, writing, mathematics, science, technology and problem solving skills necessary for success in post-secondary education, high-tech, or aviation related careers.

- I. Call to Order
 - A. Roll Call
 - B. Adoption of the Agenda*
 - C. Review/Approval of Minutes from October 15, 2020 Special Meeting*
- II. Closed Session *
 - A. Real Property Acquisition, pursuant to NMSA 1978, Section 10-15-1(H)(8).
- III. Open Session *
 - A. Action on matters discussed in Closed Session
- IV. New Business Matters
 - A. Grievance Policy Revision (discussion/action)*
 - B. Student Contact Discussion
- V. Announcements
 - A. Date for next Regular SAMS Academy Governing Council Meeting
- VI. Adjournment*

Note: * Indicates Action Item

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Jill Brame at (505) 338-8601 or jbrame@samsacademy.com least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Ms. Brame at the phone number or email address above if a summary or other type of accessible format is needed.



Special Procedures for October 26, 2020 SAMS Governing Council Meeting

In response to the Governor's declaration of a Public Health Emergency and restrictions on public gatherings, the SAMS Governing Council Meeting on October 26, 2020 at 4:30 pm will be limited to no in-person attendance.

No one will be permitted to be at SAMS to physically attend the meeting. However, the public, Governing Council Members and SAMS staff will have the ability to view and hear the meeting via the internet using Zoom. The procedures for accessing the meeting are as follows:

From a computer, tablet or smartphone, enter the following URL:

<http://zoom.us/j/9231897874>

OR

Call one of the following numbers:

1-669-900-6833

1-301-715-8592

1-253-215-8782

(Because of the increase of Zoom for meeting use, the phone numbers may appear to be busy at first. Keep trying until you get through.)

Meeting ID: 923 189 7874

Access Code: 4100

You will also be asked to enter your (optional) participant ID. Just follow the spoken directions (press #) to skip this step, as it is not needed for this meeting.

Should the Governing Council vote to close the meeting in order to discuss items allowed by the Open Meetings Act, the Zoom application has a means to do so.

Audio and video recording of the open meeting will be available upon request.

Should anyone wishing to join the meeting via the internet have issues accessing the meeting you may contact Jill Brame at 505-918-3850.

These procedures are subject to revision given changing circumstances. Please check the SAMS website for any updates to these procedures.



GOVERNING COUNCIL

Special Meeting of the SAMS Academy Governing Council on
Thursday, October 15, 2020

Zoom.us

BOARD MEMBERS PRESENT

Roland Dewing, Alex Carothers, Farrah Nickerson, Mike Romo, and Larry Kennedy

BOARD MEMBERS ABSENT

Ed Smith and LyDawn Blount

ALSO IN ATTENDANCE

Bridget Barrett, Nathan Hardin, and Sean Fry

PUBLIC

Stephanie Tuttle and Jose Garcia-Galvez

These minutes were approved on _____

By a vote of ___ yes ___ no ___ absent ___ abstained

_____ President

_____ Secretary

I. Call to Order

Larry Kennedy called to order the Special Meeting of the Governing Council for the Southwest Aeronautics, Mathematics, and Science Academy on October 15, 2020 at 4:03 PM on zoom.us.

A. Roll Call

Larry Kennedy asked Jill Brame to call roll. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, and Larry Kennedy. Mike Romo was absent; but does arrive later in the meeting. LyDawn Blount and Ed Smith were absent.

B. Adoption of the Agenda*

Larry Kennedy asked for a motion to approve the agenda. Farrah Nickerson made a motion to approve the agenda. Alex Carothers seconded the motion. Larry Kennedy called for a roll call vote to approve the agenda. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, and Larry Kennedy; all voted yes. The motion carried unanimously.

C. Review/Approval of Minutes from October 5, 2020 Special Meeting*

Larry Kennedy asked for a motion to approve the minutes from the October 5 special meeting. Farrah Nickerson made a motion to approve the minutes. Roland Dewing seconded the motion. Larry Kennedy called for a roll call vote to approve the minutes from the October 5 special meeting. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, and Larry Kennedy; all voted yes. The motion carried unanimously.

II. Closed Session

A. Real Property Acquisition, pursuant to NMSA 1978, Section 10-15-1(H)(8).

Larry Kennedy made a motion to move to closed session due to real property acquisition, pursuant to NMSA 1978, Section 10-15-1(H)(8). Alex Carothers seconded the motion. Larry Kennedy asked Jill Brame to call roll. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, and Larry Kennedy; all voted yes. The motion carried unanimously.

The governing council moved to closed session at 4:06PM.

Sean Fry and Bridget Barrett were invited to closed session.

III. Open Session*

A. Action on matters discussed in Closed Session

Larry Kennedy made motion to move back into open session and affirmed that only items on the agenda were discussed. Roland Dewing seconded the motion. Larry Kennedy asked Jill Brame to call roll. Jill Brame called Roland Dewing, Alex

Carothers, Farrah Nickerson, and Larry Kennedy; all voted yes. The motion carried unanimously.

Open session resumed at 4:24PM.

No motions taken.

IV. Public Comment

None

V. Administrative Update

A. Home Visits

Bridget Barrett reported that the home visits for at-risk student is going well.

B. SAT Test

Jill Brame reported that on October 14, 20 senior students came to the school to take the SAT. Since they missed the spring administration of the test, this was permitted by the state. All guidelines were met.

Mike Romo joined the meeting.

VI. Ongoing Business

A. Aviation Program Update

Nathan Hardin reported the following:

- * Flying the last 2020 seniors and starting with 2021 seniors.
- * Cessna is going in for maintenance, but have signed contract to use N1917L while N739HK is in for repair.
- * The Simulator is sold and is out of the building.
- * Continues to build the program through drones, other schools, and Facebook.
- * Dr. Chavez has completed her first AME exam with a SAMS student.

VII. New Business Matters

A. Facility Committee*

Larry Kennedy informed the board that there needs to be a Facility Committee to make day-to-day decisions for the new building and then report back to the governing council during regular meetings. Bridget Barrett suggested, along with herself, Jill Brame, a governing council member, and a staff member. Farrah Nickerson offered that she would be interested in joining as the board member and a parent. Bridget had a couple ideas for a staff member. Larry Kennedy called for a motion. Alex Carothers made a motion to establish a facility committee to include Bridget Barrett, Jill Brame, Farrah Nickerson, and one staff member. Larry Kennedy asked Jill Brame to call roll to approve the facility committee. Jill Brame called Roland Dewing, Alex Carothers, Farrah

Nickerson, Mike Romo and Larry Kennedy; all voted yes. The motion carried unanimously.

B. Grievance Policy Revision*

Larry Kennedy asked Jill Brame to discuss the revisions to the Grievance policy. Kelly Callahan suggested the new policies. Jill Brame said that the policies have been in place since the school opened. We do not currently have a policy for students/family to file a grievance. This would add a parent/student/community member grievance policy. The employee grievance policy would be updated with steps/levels that are more detailed. Governing council members asked questions about the presented policies. Larry Kennedy asked if the lawyer had approved these policies and Jill Brame told him that they have been sent, but not approved. Larry Kennedy made a motion to table the grievance policy revision until approved by the lawyer. Alex Carothers seconded. Larry Kennedy asked Jill Brame to call roll to approve the tabling of the grievance policy revisions. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, Mike Romo and Larry Kennedy; all voted yes. The motion carried unanimously.

C. Attendance Policy Revision*

Jill Brame explained that revised policy comes from the Attendance for Success Act passed by the legislature. This policy revision is also waiting legal review. Larry Kennedy made a motion to table this action until legal review has occurred. Farrah Nickerson seconded. Larry Kennedy asked Jill Brame to call roll to approve tabling the attendance policy revision until legal review. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, Mike Romo and Larry Kennedy; all voted yes. The motion carried unanimously.

D. Resolution for Governing Council to Commit Fund Balances for the Acquisition of Real Property

Larry Kennedy asked Sean Fry to explain this resolution. Sean explained that over the last few years, money has been set aside to save money for a potential new building. To save this money from being swept during legislative session, this resolution will allocate these funds to committing the money to acquisition of real property. Farrah Nickerson made a motion to approve the resolution to commit fund balances for acquisition of real property. Alex Carothers seconded. Larry Kennedy asked Jill Brame to call roll to approve the resolution. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, Mike Romo and Larry Kennedy; all voted yes. The motion carried unanimously.

E. 2020 Open Meetings Resolution Revision*

Larry Kennedy explained that because the regular meeting time has been moved to 4PM, still on the third Thursday of the month, a new Open Meetings Resolution needs to be approved. Farrah Nickerson made a motion to approve the updated Open Meetings Resolution. Alex Carothers seconded. Larry

Kennedy asked Jill Brame to call roll to approve the Open Meeting Resolution. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, Mike Romo and Larry Kennedy; all voted yes. The motion carried unanimously.

VIII. Finance Report

A. Business Office Operation Update

Sean Fry reported that the finance committee met before the board meeting. He also reported:

* Revenues are 25% of budget.

* Expenditures are 26% of the budget

He explained that while expenditure exceeded revenue this month, some beginning of the year items needed to be paid for and reimbursement will come from the state. The Edgenuity payment was also made.

B. Voucher Approvals*

Larry Kennedy said that the Finance Committee recommends the check register. Larry Kennedy called for a motion to approve the vouchers. Farrah Nickerson made a motion to approve the vouchers. Alex Carothers seconded the motion. Larry Kennedy asked Jill Brame to call roll to approve the vouchers. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, Mike Romo and Larry Kennedy; all voted yes. The motion carried unanimously.

C. Budget Adjustment Requests*

BARs 5-IB: This is an award PSCOC for lease assistance. Larry Kennedy called for a motion to approve BAR 5-IB. Farrah Nickerson made a motion to approve BAR 5-IB. Alex Carothers seconded the motion. Larry Kennedy asked Jill Brame to call roll to approve BAR 5-IB. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, Mike Romo, and Larry Kennedy; all voted yes. The motion carried unanimously.

IX. Announcements

A. Date for next Regular SAMS Academy Governing Council Meeting

The next regular meeting will be November 19 at 4:00 PM on zoom.us.

X. Adjournment*

Larry Kennedy called for a motion to adjourn. Farrah Nickerson made a motion to adjourn. Mike Romo seconded the motion. Larry Kennedy asked Jill Brame to call roll to adjourn. Jill Brame called Roland Dewing, Alex Carothers, Farrah Nickerson, Mike Romo and Larry Kennedy; all voted yes. The motion carried unanimously.

The special meeting of the Governing Council for the Southwest Aeronautics, Mathematics and Science Academy adjourned on October 15, 2020 on zoom.us at 5:35PM.

Southwest Aeronautics Mathematics & Science Academy Complaint Procedure for Parents, Students, and Community Members

The Southwest Aeronautics Mathematics & Science Academy Charter School (SAMS) Governing Council recognizes that inquiries, concerns and complaints received from the public, including matters of instruction, operation, finance, and personnel issues, must be resolved as expeditiously and satisfactorily as possible. This policy does not apply to complaints or grievances by employees.

For any concern or complaint regarding any SAMS Academy school policy, practice, or procedure; any school site practice or procedure, or a school employee:

- Step 1: Initial Inquiry: Informal Resolution
- Step 2: Initial Grievance Process: Filing a Written Formal Complaint
- Step 3: Head Administrator Hearing (within 15 working days)
- Step 4: Requesting a Governing Board Hearing (within 5 working days)

A. Complaints Regarding School Employees

To promote prompt and fair resolution of the complaint, the following procedure shall govern the resolution of complaints against school employees:

Step 1: Informal Resolution

Every effort should be made to resolve a complaint at the earliest possible stage.

Whenever possible, the complainant should communicate directly with the employee involved in order to resolve concerns. If the complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may file a written complaint directly with the Head Administrator. (Step 2)

Step 2: Filing a Written Formal Complaint

Written complaints shall be made using the school's Complaint Form (Exhibit A). All complaints must include:

- a. The full name of each employee involved;
- b. A brief but specific summary of the complaint and the facts surrounding it, and;
- c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter.

Step 3: Head Administrator's Hearing

The Head Administrator shall attempt to resolve the complaint to the satisfaction of the parties involved within fifteen (15) days of receiving the written complaint. The Head Administrator may choose to convene an informal hearing regarding the complaint. The Head Administrator will communicate the findings and resolution to all parties in writing within ten (10) working days of the informal hearing or other decision on the complaint. Both the complainant and the employee against whom the complaint was made may appeal the decision of the Head Administrator to the Governing Board. The request must be made in writing and submitted to both the Governing Board and Head Administrator within five (5) working days of the Head Administrator's response. It shall be up to the Governing Board's discretion when or whether to hear the appeal and in the event it chooses not to hear the appeal, the Head Administrator's decision shall be final.

Step 4: Governing Board Hearing for any Complaint Regarding a School Practice or Policy and Complaint about an Employee

1. Before any Council consideration of a complaint, the Head Administrator shall submit the Council a written report concerning the complaint, including but not limited to:

- a. The full name of each employee involved;
- b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a response;
- c. A copy of the signed original complaint;
- d. A summary of the action taken by the Head Administrator, together with his/her specific finding that the problem has not been resolved and the reasons.

The Council may uphold the Head Administrator's decision without a hearing. If the Council decides not to hold a hearing, the Head Administrator will notify the complainant of the Council's decision to uphold the Head Administrator's decision. Typically, the Governing Council will NOT review administrative decisions regarding the following: student discipline, student placements (in special education or regular education classes), complaints about a staff member's performance (except the Head Administrator), or matters particularly within the expertise of the educational staff and administration.

2. All parties to a complaint may be asked to attend a Council meeting in order to clarify the issue and present available evidence.

3. A closed session may be held to hear the complaint in accordance with law.
4. The decision of the Governing Council shall be final.

B. Complaints Regarding School Policies, Practices or Procedures

1. If the complaint regards school policy, practice, or procedure the complaint process shall begin with Step 2 – Filing a Written Formal Complaint. All subsequent steps must be followed.
2. When examining complaints regarding policy, practices, or procedures the Head Administrator may act to interpret the rules of such documents.
3. The Head Administrator may also recommend to the Governing Council changes to school policy and administrative regulations in order to rectify a complaint if it is found to be in the best interests of all students.
4. The complainant has the right to appeal all decisions made by the Head Administrator with the Governing Council.

The Governing Council may choose to hear the complaint at its discretion.

Complaint Policy – Exhibit A

SAMS Academy

Complaint Form

For Parents, Students, and Community Members
Regarding School or District Policy, Practice, or Procedures or Employees

This form and process is available for any parent, student, or community member who wishes to initiate a complaint against any SAMS Academy policy, practice, or procedure, or a school employee. The complainant shall attempt to resolve the complaint at Step 1. If not applicable or possible, the complainant may go to the next appropriate step. (Please see Complaint Policy Process.). This complaint process does not apply to complaints by employees.

This complaint pertains to:

_____ A school employee (name): _____

_____ A school policy, practice, or procedure:

Date of incident: _____ Complaint Form must be filed within
7 working days of incident.

1. Please write the nature of the complaint. This should be a description in your own words of the grounds of your complaint, including all names, dates, and places necessary for a complete understanding of your complaint.

2. Please list any attempts you have made to resolve the complaint. You may attach additional pages.

Complainant's Name (Student's name, if applicable) _____

Complainant's Phone Number_(____) _____

Complainant's Address _____
Street City State Zip

Complainant's email address _____

I certify that the information I have provided relative to this complaint is true and correct.

Complainant's Signature _____ Date Signed _____

Step 1: Informal Resolution

Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, you should communicate directly with the employee involved in order to resolve concerns.

If you are unable or unwilling to resolve the complaint directly with the employee, you may file a written complaint directly to the Head Administrator (Step 2).

Step 2: Filing a Written Formal Complaint

If the complaint was not resolved informally (Step 1), you may submit a formal written complaint to the Head Administrator using the Complaint Form. If this complaint is against the Head Administrator, it should be filed with the Governing Council. The Governing Council may choose to hear the complaint, in its discretion. A formal written complaint must include: the name of the employee, policy, procedure or practice involved; a brief but specific summary of the complaint; and a description of any prior attempt to resolve the complaint informally.

Step j: Head Administrator's Hearing

The Head Administrator shall confer with the parties within fifteen (15) working days of the receipt of the written complaint and may choose to hold an informal hearing. The Head Administrator, (505) 338-8601 or designee shall send a response, in writing, to the parties within ten (10) working days of the conference. If the Head Administrator's decision does not resolve the complaint, any party may appeal the decision to the Governing Council. The request must be made in writing and submitted to the Governing Council within five (5) working days of the Head Administrator's response. The Governing Council may elect to hear the appeal in its discretion and there is no right to a Governing Council appeal.

Request for Governing Board Hearing of Initial Complaint

Complainant _____ Date _____

Step 4: Requesting a Governing Council Hearing

The Council may elect to hold a hearing and render a finding or support the finding made at Step 3 without holding a hearing. The decision of the Council is final and will be communicated to the complainant by the Head Administrator.

Employee Grievance Procedures

SAMS Academy recognizes that most personnel-related conflicts arise from a lack of communication. This procedure is designed to provide a formal mechanism for promoting or restoring such communication so that problems may be resolved before more serious difficulties arise. The purpose of this policy and these procedures is to provide for the reporting and resolution of legitimate employment-related concerns of the employees of SAMS Academy at the earliest possible time and with the least possible expense, disruption and friction.

Nothing contained herein will be construed to limit in any way the ability of SAMS Academy and the grievant to resolve any grievance by informal means. An employee's decision to refrain from the grievance procedure in lieu of alternative dispute mechanisms may limit the administration's ability to promptly and completely resolve the employee's concerns. You are encouraged to use this process to ensure timely and satisfactory resolutions.

No employee will suffer retaliation, recrimination, discrimination, harassment, or be otherwise adversely affected because of his or her use of this grievance procedure.

Definitions

- a. "Grievant" means an employee who is personally and directly affected by a condition for which he or she seeks a resolution.
- b. "Grievance" means an allegation by an employee that the treatment he or she has received from a superior is unfair or improper, or that there has been a violation, a misinterpretation or an inequitable application of school policy, administrative rules or procedures that directly and adversely affect the grievant. A single grievance may be submitted jointly by more than one grievant.
- c. "Resolution(s)" means the proposed written decision by the appropriate administrator(s), grievance review committee, or SAMS Governing Council, in response to the grievance.
- d. "Parties in interest" means the grievant and the superior or other employee(s) of SAMS Academy whose conduct or actions are the subject of the grievance.

Limitations to Grievance Procedure.

A former employee cannot file a grievance after the effective date of termination or discharge of employment.

The following situations are not covered by this grievance procedure and are therefore not a grievance under this policy:

- a. The discretionary act(s) of professional judgment relating to the evaluation of the work performance of any employee by his or her immediate supervisor.
- b. Any personnel decision made by the SAMS Academy Governing Council, including, but not limited to a refusal to re-employ, a discharge, a demotion, or any other action directly and adversely affecting the employment of an employee.
- c. Situations in which the SAMS Governing Council and Head Administrator are without authority to act.
- d. Situations in which the remedy for the alleged violation exclusively resides in some person, agency, or authority other than the SAMS Academy Governing Council.

- e. Situations as to which a different procedure with SAMS Academy is prescribed by a state or federal authority.
- f. Situations as to which a different procedure or remedy has been provided by the SAMS Academy Governing Council.
- g. Situations involving a grievance by a contractor with SAMS Academy.
- h. Situations relating to allegations of discrimination or harassment made illegal by state or federal civil rights laws or other allegations of violations of law.

General Procedural Requirements.

- a. A grievance must be initiated at Level 1 within ten (10) workdays of the date upon which the grievant became aware of the circumstances, which gave rise to the grievance.
- b. Whenever possible, any grievance conference or hearing at any level will be scheduled during a mutually convenient time that does not conflict with the regularly scheduled school program.
- c. A grievant requiring the attendance and testimony of other employees will have the right to bring such witness as are willing to testify in his or her behalf, and any necessary substitutes or release time will be provided and the expense borne by SAMS when hearings must be scheduled during the school day.
- d. A separate file will be maintained by the Head Administrator for grievances. All documents produced during the processing of a grievance will be kept in the separate file.
- e. All parties shall maintain confidentiality with regard to proceedings, and the resolution of the grievance, to the extent possible, and the proceedings will not be made public unless agreed to by the grievant and the Head Administrator or SAMS Governing Council or unless the grievant pursues the matter beyond this policy.
- f. The grievance file will be maintained for one (1) year after being cleared according to the New Mexico State Records Center and Archives, and access to the file will be limited to the grievant, the immediate supervisor, the Head Administrator and the members of the SAMS Governing Council.
- g. A grievant may terminate the process at any level if he or she indicates in writing a desire to do so, accepts the resolution at that level, or fails to pursue his or her grievance by filing at the next level within the specified time period or refuses to attend a scheduled meeting even if that meeting must occur after school.
- h. All grievances will be filed and processed on grievance forms prepared by SAMS Academy and available in the office of the Head Administrator.
- i. The time limits at any level may be extended by mutual agreement between the grievant and the Head Administrator, review committee or SAMS Governing Council.
- j. Except as otherwise provided herein, unless a party can demonstrate prejudice arising from a departure from the proceedings established in this policy, such departure will be presumed to be harmless error.

Procedural Steps.

1. *Level 1 (Informal Conference)* Prior to the filing of a formal written grievance, the grievant will first discuss the grievance with her or his supervisor in a good faith attempt to resolve the grievance prior to the filing of a formal grievance.

2. *Level 2 (Head Administrator)* If the grievant is not satisfied with the discussion and disposition of the grievance at Level 1, he or she may file a written grievance with the supervisor (Head Administrator) within fifteen (15) days of the disposition. The Head Administrator will communicate her or his proposed resolution in writing to the grievant within five (5) workdays from the filing of the written grievance. If the proposed resolution is not acknowledged or approved by the grievant within five (5) workdays, the Head Administrator has the discretion to require a hearing or conference and gather such evidence prior to the preparation of the decision as she or he feels would assist in any appropriate resolution of the grievance. The hearing or conference will occur within five (5) workdays of the grievant's action/inaction regarding the Head Administrator's proposed resolution. The hearing or conference should be as informal as possible and will be conducted as the Head Administrator feels is appropriate for a full understanding of the grievance, the position of the grievant and the evidence supporting the position. The Head Administrator will have the right to ask any question of the interested parties, as she or he deems necessary. Within five (5) workdays following the hearing, the Head Administrator will render his or her written proposed resolution to the grievant.

3. *Level 3 (SAMS Academy Governing Council)* If the grievant is not satisfied with the resolution of the grievance at Level 2, or if the Head Administrator fails to issue a proposed resolution within the specified time limit, the grievant may make a written request to the Head Administrator for an appeal to the SAMS Governing Council within ten (10) work days after the Head Administrator's resolution was rendered or due, if none was received. SAMS Governing Council will have no obligation to hear the appeal, or to appoint a committee to hear the appeal. In its sole discretion, the SAMS Governing Council may appoint a Grievance Review Committee to hear the grievance. If appointed, the Grievance Review Committee will be comprised of three (3) persons, one from each of the following staff categories: Certified School Instructor; Administrator (other than the immediate supervisor or Head Administrator involved) and one SAMS Governing Council member. In the event the SAMS Governing Council declines to appoint a Grievance Review Committee, or declines to hear an appeal from Level 2, the Head Administrator's decision shall be final.

The SAMS Governing Council will appoint the members. The Committee will select its Chairperson prior to the processing of the grievance. The Chairperson of the Committee will schedule an informal hearing within ten (10) workdays of receipt of the grievance. If a Committee member is unable to participate in the informal hearing, the Chairperson will designate a substitute from within the employee category of the non-attending member.

Procedure for Hearing before SAMS Governing Council Committee.

The following procedure will be used at hearings before the SAMS Governing Council Committee.

1. The parties in interest will submit written statements of position, which will be delivered to the SAMS Governing Council Committee Chair at least five (5) days prior to the hearing. In addition, any other documentary evidence desired to be reviewed by the SAMS Governing Council Committee will be submitted at that time.

2. The grievant will present his/her grievance first through testimony, witnesses, documents, etc. Reasonable cross-examination will be allowed by the other party in interest, if any, subject to limitations set by the Committee.
3. The other party or parties in interest, if any, will present their responses to the grievance. Reasonable cross-examination will be allowed, subject to limitations set by the Committee.
4. The Committee members may ask any questions that it deems necessary.
5. Arrangements to make a taped recording or to keep minutes of the proceeding will be made by the Chair. A verbatim transcript is not required, but any minutes or other written record will fairly reflect the substance of the hearing.
6. Within five (5) days following the date of the hearing, the Committee will transmit its findings and recommendations for proposed resolutions to the SAMS Governing Council. Within ten (10) working days, the SAMS Governing Council shall consider the recommendations of the Committee. The SAMS Governing Council may accept the recommendations as presented, impose a lesser sanction if disciplinary action was recommended, or decide to hold a new hearing on the grievance.
7. If the SAMS Governing Council rules that it is appropriate to hear the grievance, it will set the date for such hearing and the parties in interest will be notified by the SAMS Governing Council Chairperson. If the SAMS Governing Council adopts the recommendations of the SAMS Governing Council Committee, the decision shall be final.

Hearing before full SAMS Governing Council.

If the SAMS Governing Council decides to grant a new hearing the following procedures will be followed:

1. Each party in interest will have the opportunity to present oral statements limited to thirty (30) minutes each.
2. The presentation will be limited to a review of evidence previously presented, unless the SAMS Governing Council, in its discretion, allows new evidence to be presented during the hearing.
3. Evidence may not be cross-examined by the other party in interest; however, the SAMS Governing Council may ask questions of any party, as it deems necessary or appropriate.
4. Hearings will be conducted in a closed session, unless the grievant requests that the hearing be held in a public meeting.
5. The SAMS Governing Council will render a written decision within 10 working days after the hearing. In arriving at its decision, the SAMS Governing Council has complete discretion in fashioning such relief, if any, as it believes is appropriate, regardless of the relief requested. The SAMS Governing Council's decision is final.