

Grievance Policy

Lincoln Academy supports voluntary resolution of disagreements or other conflicts and firmly believes that most issues can be handled informally, without resort to any official process. Therefore, it is the board's expectation that members of the Lincoln community who have concerns with school personnel will address such concerns with that person one-on-one. However, the board recognizes that there may be circumstances where one-on-one resolution fails or where, due to the gravity of the situation, it is appropriate to bring one's concern to a higher authority. Therefore, the board adopts the following grievance policy.

This policy shall only apply to concerns which involve or implicate the actions or inactions of a Lincoln Academy employee, board member, or other official (or a contractor operating in one of those roles). Also, this policy shall only apply to concerns that involve or directly relate to that person's performance in his or her official capacity; the process shall not be used to pursue solely private grievances.

This policy shall not apply to anything that presents a clear and present danger to either a person or Lincoln Academy's facilities, which the normal grievance process could not reasonably be expected to deal with in a timely manner. Such concerns should immediately be brought to the attention of the principal (or a board member if the principal is not reasonably available). The principal or board member to whom such a concern is brought shall make the decision as to whether the concern raised is appropriate for the grievance process. If the principal or board member decides the concern is appropriately handled as a grievance, he or she shall direct the aggrieved party to file a formal grievance. Such decision shall be final.

The outlining of various levels of authority to act on grievances is not meant to insulate any party from accountability for how a particular grievance is handled. Nor is it meant to prevent a decisionmaker from seeking input from or providing situational awareness to those further up the chain. In particular, the board expects to be notified of any grievance that involves individual safety, a threat to the preservation or security of Lincoln Academy's facilities, or a direct or blatant violation of school policies or procedures.

The Process

1. A party who wishes to file a formal grievance shall set such grievance down in writing, stating the person or persons against whom the party wishes to complain and the grounds for the complaint. The party may also propose a suggested resolution, but this is not required.
2. The written statement shall be provided to the appropriate assistant principal within fourteen days of the events which lead to the grievance. A grievance that is not filed within these fourteen days may be dismissed. However, a grievance should not be dismissed for failure to meet the deadline when that failure is clearly due to a diligent effort to resolve the issue without resort to a formal grievance.

- a. When a grievance is against an assistant principal or principal, the written grievance shall be filed one level higher. In other words, a grievance against an assistant principal shall be filed with the principal. A grievance against the principal shall be filed with the board president.
 - b. A grievance against a member of the board shall also be filed with the board president. Or, if the grievance is against the president, it shall be filed with the vice president. However, a grievance against a board member shall only be filed in this way if it involves actions directly relating to service on the board. Other grievances against board members shall be handled in the normal way (i.e., filing with the assistant principal).
3. Except where a grievance is initially presented to the board president or vice president (in which case other procedures, discussed below, will apply), the person to whom a grievance is presented or appealed shall work to mediate or otherwise resolve the conflict.
 - a. Where a written grievance has been filed without any attempt to informally work out the conflict, the first-level decisionmaker may (and in most cases should) decline to act until the parties attempt to work things out on their own.
 - b. The decisionmaker should ordinarily strive to mediate a resolution that is satisfactory to all parties. However, the board recognizes that there may be cases where a mutually agreeable resolution is not attainable or would for some reason be inappropriate. Therefore, mutual satisfaction is merely a goal, not a requirement.
 - c. Attempts to resolve a grievance should, as much as is possible, be a friendly, honest, and casual process. No particular procedures are required and the course of the proceedings is left to the discretion of the decisionmaker in consultation with the parties.
 - d. Once a mutually agreeable resolution is reached, the grievance shall be considered resolved. However, if it becomes apparent, for any reason, that no mutually agreeable resolution is possible, the decisionmaker shall craft what he or she believes is a reasonable resolution of the conflict, announce that decision to the parties, and end the proceedings.
 - e. A decisionmaker may, in his or her discretion, refer a grievance to a higher level without announcing a decision and notify the parties that such a referral was made.
4. If either the aggrieved or complained-against party is not satisfied with the resolution of a grievance, he or she may appeal from the assistant principal to the principal or from the principal to the board within fourteen days. On appeal, the party viewing the appeal is not bound by any previous decision in the matter and has whatever powers that party would have upon addressing the grievance in the first instance.

Special Considerations Related to the Hearing of Grievances by the Board

5. Where a grievance is received by the board president or vice president (whether initially or on appeal), it shall be added to the agenda for the next regular or special meeting of the board (whichever occurs first).
6. The board shall review any grievance brought before it and may do so in regular or executive session, as the board chooses and as permitted by law. Parties requesting that the board hear their grievance are reminded that Lincoln Academy is a local public body covered by Colorado open meeting and open records laws. Therefore, pursuing a grievance before the board may waive privacy or confidentiality protections that apply at lower levels.
7. In resolving a grievance, the board may, in its discretion, take any of the following actions:
 - a. Refer the grievance to a committee for a recommendation on what action to take;
 - b. Mediate the grievance;
 - c. Affirm any decision made by a lower decisionmaker;
 - d. Impose its own resolution of the grievance;
 - e. Refer the grievance to the principal with a directive to resolve the grievance; and/or
 - f. Take any other action within its power directed to reasonable and quick resolution of the grievance.
8. Where a grievance is against a board member, such board member shall be entitled to participate in discussion or debate regarding the grievance. However, such board member should not vote on a final resolution of the grievance. Where a grievance is against the board president, the vice president shall preside over any debate, discussion, or action on the grievance.