North Valley Academy

Grievance Policy

1. **Purpose.** The purpose of this Policy is to provide a process for grievances made against the North Valley Academy Charter School's (School) staff by any employee, student, or parent/legal guardian of a student.

2. **Employees.**

   A. An employee must deliver a written statement to his or her immediate supervisor stating the pertinent facts relating to or regarding the problem within 10 working days of the act or occurrence out of which the problem arose. In cases involving employee groups, the written statement must be delivered within 15 working days of the act or occurrence out of which the problem arose. If the immediate supervisor is the reason for the grievance the employee or employee group may go directly to the Head Administrator. If the Head Administrator is the subject of or reason for the grievance the employee or employee group may bring the grievance directly to the Governing Council via any of its members within the respective 10 or 15 days provided for in this paragraph. That member shall immediately relay the grievance to the Chair of the Governing Council and the School's legal counsel.

   B. Grievances will be heard by the supervisor or Head Administrator at a time agreeable to both parties but in no event more than five working days after the written statement has been delivered to the supervisor or Head Administrator.

   C. An employee or group may discuss the matter personally with the supervisor or Head Administrator and the employee or group may be accompanied by a representative of his or her choice. The supervisor or Head Administrator may also be accompanied by a representative of his or her choice.

   D. Following this meeting the employee or group making the grievance and, if applicable, the person who is the reason for the grievance (respondent) will receive written notification of the supervisor or Head Administrator's decision within five working days.

   E. If the employee or group is aggrieved by a decision of a supervisor the employee or group may appeal to the Head Administrator within five working days.

   F. If the employee or group is aggrieved by a decision of the Head Administrator the employee or group will have 15 working days from the date of the decision to submit an appeal in writing to the Governing Council. The Governing Council will have 15 working days from the date of the receipt of the appeal to inform the complainant and respondent of its decision in writing.

G. All meetings and hearings shall be conducted in accordance with the Open Meetings Act.

H. No member of the Governing Council and no member of the administration shall retaliate against any employee because the employee instituted a grievance proceeding, by doing any act which affects the employee's employment status, detrimentally affects or damages a party in interest, any professional organization representative, or any other participant in the grievance procedure.

3. Students, Parents, and Legal Guardians.

A. Any student, parent, or legal guardian of a student may file a grievance of any nature with the Head Administrator. Grievances must be in writing. The Head Administrator or designee will conduct an investigation into the grievance . This investigation may consist of interviews of the complainant and any witnesses who may have knowledge of the wrong doing. Additionally, other methods or documentation may be used. Grievances must be filed within 30 calendar days of any alleged wrong doing.

B. An investigation will generally be completed within 30 calendar days. In some cases, the investigation may take longer. However, the School will make every reasonable effort to complete investigations within 30 calendar days.

C. At the conclusion of the investigation, the complainant and respondent will receive written notification of the outcome.

D. The complainant or respondent will have 10 working days from the date of the written notification to submit an appeal in writing to the Governing Council. The Governing Council will have 15 working days from the date of the receipt of the appeal to inform the complainant or respondent of its decision in writing.

E. If the Head Administrator is the subject of or reason for the grievance the student, parent, or legal guardian may bring the grievance directly to the Governing Council via any of its members within 30 calendar days the incident being complained about. That member shall immediately relay the grievance to the Chair of the Governing Council and the School's legal counsel.

F. No member of the Governing Council and no member of the administration shall retaliate against any student, parent, or legal guardian because the student, parent, or legal guardian instituted a grievance proceeding.

G. **Federal Programs.** Complaints arising out of the federal programs, including but not limited to the list below, may require additional steps or information from the complainant. Any complainant who wants to file such a compliant should contact the School's Head Administrator or the corresponding government website or School policy for more information.

1. Special Education (https://webnew.ped.state.nm.us/bureaus/special-education/)
2. Title IX (https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt)
3. Food Service (https://www.fns.usda.gov/civil-rights)

4. Homelessness (https://webnew.ped.state.nm.us/bureaus/student-success-wellness/mckinney-vento/)

Approved by the North Valley Academy Charter School Governing Council on_____.