

### 3.5 -- GRIEVANCES

The Board of Education recognizes that harmonious relations with its employees can be maintained and improved through effective communications. The interests of all parties can best be served by sincere efforts of all concerned to promote understanding and cooperation. The Board, therefore, has adopted the following grievance procedure as a means to examine and resolve possible problems which relate to the administration of personnel policies of the school. The following definitions shall apply to this policy:

- “Grievance” means any concern related to personnel policy, salary, federal or state laws and regulations, or terms or conditions of employment raised by an employee (a group of covered employees who have the same grievance may file a group grievance). A grievance does not include matters involving the Board of Education’s right to establish educational policy and prescribe rules and regulations for the conduct and management of the schools; nor does it include decisions made by administrators where there is no violation of policy.
- Employees covered by this procedure shall mean full-time employees employed by a school district under a written contract.
- Immediate Supervisor is that employee possessing administrative authority to direct the activities of the grievant.

All grievances shall be settled with the employee’s immediate supervisor through informal conferences when possible. This failing, the grievance shall be filed in writing with the immediate supervisor within seven (7) working days after the alleged grievance occurred. The immediate supervisor shall respond in writing within five (5) working days of receipt of the written complaint. If the grievance is not submitted within the prescribed time, the employee shall be deemed not to have any further right with respect to said grievance.

If the grievance is not resolved with the immediate supervisor, appeal may be made within five (5) working days of the date the supervisor’s written response is received to the Superintendent. The Superintendent or his designee will file a written response within ten (10) working days of the date on which the appeal is received.

If the grievance is not resolved with the Superintendent or his designee, appeal may be made to the Board of Education within five (5) working days of the receipt of the Superintendent’s written response. The Board of Education through the Superintendent will respond to the appeal within (30) working days of receipt of the appeal and the employee may request and be granted a hearing before the Board during this 30 day period. The hearing will be open to the public unless the Superintendent or Employee requests a private hearing. If the hearing is open, the parent or guardian of any student under the age of eighteen (18) years who gives testimony may elect to have the student’s testimony given in a closed session. All parties will have a right to be represented by a person of his or her own choosing, but not by a member

of a party's immediate family at any level of the procedure. The determination by the principal, superintendent, or their designees that the concern expressed by the employee is not a grievance may be appealed to the school board for a final decision. At the hearing, the employee shall have an adequate opportunity to present the grievance, but not less than ninety (90) minutes, and both parties shall have the opportunity to present and question witnesses.

There shall be no reprisals of any kind against any individual who exercises his or her rights under this policy. Grievance procedures are not applicable to termination or non-renewal situations or to teacher evaluations. The school district is not required to enter into an agreement recognizing an organization for the purpose of negotiating personnel policies, salaries, and educational matters of mutual concern.

Ref: Act 687 of 1987 Ark Code 6-17-201 through 6-17-207  
Act 558 of 1991  
Act 1357 of 2003  
Approved by Board of Education 3/18/86  
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