

**STAFF COMPLAINTS AND GRIEVANCES - PROCEDURES**  
**(Regulation)**

**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 Brookings 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 that a dispute or disagreement of any kind exists involving interpretation or application of a policy of the Board of Education or a rule or practice of the administration or that an employee has been treated inequitably or that there exists a condition which jeopardizes employee health or safety. 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 the problems, 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**

**1. Level I**

- a. An employee with a reviewable issue will first discuss it with **his** **their** immediate supervisor with the objective of resolving the matter informally.
- b. If the employee is not satisfied with the disposition of **his** **their** claim, **he** **they** may file a written request with **his** **their** principal within five days after the informal discussion required. The written request for review shall state the particular policy, practice, rule, or unsafe conditions which form the basis of **his** **their** request for review. The principal shall hold a **hearing meeting** 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 meeting**. 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 **his** **their** complaint at Level I, **he** **they** may within ten days request that the matter be reviewed by the Superintendent of Schools or, at the discretion of the Superintendent, **his** **their** official designee. The Superintendent, or **his** designee, shall review this material concerning the dispute and may arrange for a **hearing meeting** with the employee and/or the appropriate supervisor to obtain additional information or for investigation as required. Upon completion of the investigation, or **hearing meeting**, the Superintendent or **his** designee, shall have ten days to provide **his** **their** 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** **their** claim at Level II, **he** **they** 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 of Education following receipt of the employee's request for review: (1) Affirm or overrule the decision of the Superintendent of Schools, or his their designee, upon the information gathered during the previous proceedings. (2) Submit the matter for further hearing consideration to 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) Schedule a hearing meeting before the Board of Education at a time to be determined by the Board of Education. Following such a hearing meeting, 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 and the administrative representative shall have the right to question any witnesses and presenting material relative to the matter in issue and shall have the right to present such witnesses as the employee or the administrative representative may deem necessary to develop the facts pertinent to the matter in issue. The Board of Education may request that other witnesses be called for questioning by the parties. All documentary materials pertinent to the issue shall be made available to the employee. The employee may be accompanied at any of the meetings, hearings or fact-finding investigations by any advisor he they deems to be appropriate or necessary.
2. Meetings and hearings under this procedure shall not be conducted in public and shall include such parties and only such parties in interest and their designated or selected representatives hereinbefore referred to in this grievance procedure.
3. 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 which form the basis for the complaint; failure to do this will cause the right to appeal to be forfeited.

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