

Complaint and Grievance Policy (General Concerns)

Explore Academy Las Cruces



The purpose of this policy/procedure is to provide an equitable solution at the lowest possible administrative level to any issues which may arise and / or complaints which are raised from time to time by any of the Explorer Academy stakeholders. please note that there is a separate policy in regards to discharge or termination of employees outlined in the staff handbook.

For complaints / grievances involving allegations of discrimination or harassment based on a protected class, please see the [Civil Rights complaint and grievance policy](#).

any person or group having legitimate interest in the operations of the school she'll have the right to represent a request, suggestion, or complaint concerning staff, the curriculum, or operations. At the same time, the governing Council has a duty to protect staff from unnecessary harassment. The purpose of this policy is to provide the means for judging each public complaint in a fair, impartial manner and to seek a remedy, when appropriate.

The governing Council desires to rectify any misunderstandings between the public and the academy by direct, informal discussions among the interested parties. More formal procedures shall be employed only when such informal meetings fail to resolve the differences.

any requests, suggestions, or complaints reaching the governing council, board members, and / or the administration shall be referred to the Head administrator for consideration, according to the procedures detailed below.

In view of the importance of resolving all matters as rapidly as possible, the number of days indicated in each step shall be maximum in every effort shall be made to expedite the process.

all meetings and hearings shall be conducted in private unless prohibited by the open meetings law which shall include only such parties in interest and their designated or selected representatives.

the aggrieved party shall be responsible for submitting the grievance to the next step when appropriate.

any step in the procedure may be the last step. issues are expected to be resolved if the school administration level parentheses step 3 or sooner parentheses. Only those serious issues that cannot be resolved at the administration level should come to the governing Council for resolution.

Nothing here should be taken to restrict the desired input of feedback or input to the governing Council from various components of the stakeholders of the school.

COMPLAINT PROCESS

Step 1

- The complaint must first address the matter to the appropriate staff member involved, who should discuss it promptly with the complainant and shall make every effort to provide a reason explanation or take appropriate action within his/her Authority and administrative procedures.
- this level does not apply if the matter involves suspected child abuse, substance abuse, or any other serious allegation which may require investigation or inquiry by the academy officials.
- as appropriate the staff member shall report the complaint to the Head administrator and explain whatever action may have been taken.

Step 2

- Step two way parentheses informal conference (. prior to the filing of a formal written grievance, the grievant will first discuss the grievance with their supervisor in a good faith attempt to resolve the grievance prior to the filing of a formal grievance. in the case of a claim of sexual harassment in which the grievance supervisor is the subject of the claim, the grievant man initiate the grievance of the next supervisory level above that of the staff representative.
- level 2B (written grievance filed with principal parentheses if the grievance is not satisfied with this discussion and disposition of the grievance, a written grievance may be filed with the supervisor (principal parentheses within 10 days of the deposition. The principal will communicate the proposed resolution in writing to the grievant within five work days from the filing of the written grievance. Conflict resolution and mediation are often used for Less serious, yet inappropriate, behaviors and are encouraged as an alternative to the formal hearing process to resolve conflicts. the administrator. in conjunction with appropriate staff members. will be responsible for facilitating a dialogue and / or an educational session for the complaint and respondent, either separately or collectively.
- If the proposed resolution is not acknowledged or approved by the grievance within five work days, the principal has a discretion to require a hearing or conference and gather such evidence prior to the preparation of the decision to assist in any appropriate resolution of the agreements. The hearing or conference will occur within five work days of the grievance action / in action regarding the principles proposed resolution. The hearing or conference should be as informal as possible and will be conducted as a principal feels as appropriate for a full understanding of the agreements, the position of the grievant and the evidence supporting the position. the principal has the right to ask any question of the interested parties as a principal deems necessary. Within five work days following the hearing, the principal will render a written proposed resolution to the grievant. If the complaint is regarding the head administrator, the grievant should go directly to the governing board. If the complaint references a relative of the administrator, that administrator shall recuse themselves and the complaint should be directed to another administrator.

Step 3

- If a satisfactory solution is not achieved by informal means in steps 1 and 2, the complainant May submit a written request for a conference to the Head administrator within 10 days after the decision of step two has been rendered. This request should include the following:
 1. A specific nature of the complaint and a brief statement of the factors giving rise to:
 2. the manner in which the complainant parentheses or child of the complainant (alleges they have been affected:
 3. the reason (s (the matter could not be resolved in discussions with the supervisor and slash or head administrator:
 4. the relief sought by the complaint and the reasons such relief is needed.
 5. the written complaint may be a statement that addresses the above bullet points or maybe submitted using the formal complaint form
- A conference at which the grievance will be heard by the head administrator will be scheduled at a reasonable time agreeable to the parties but in no event more than five school days after the written statement has been delivered to the Head administrator.
- But the complainant may discuss the matter personally with the head administrator or maybe accompanied by one representative of his or her choice.
- The head administrator may be accompanied by another representative of the school leadership at any hearing or meeting regarding complaints or grievances.
- the head administrator shall provide a response in writing within three school days after the conference. That response will be a decision or depending on the complexity of the complaint, May indicate that further investigation is warranted.
- investigations shall include, but are not limited to, providing the complainant and the respondent and the opportunity to State their positions. interviewing witnesses. and reviewing relevant documents. investigations Shelby concluded within a reasonable time, normally 30 days or less.

Step 4

- If the complainant does not satisfied with the disposition of the problem in Step three, the matter may be appeals and writing to the governing Council within 10 school days after the decision has been rendered the formal complaint form shall be completed to the best of the complaints ability and submit it to the governing Council via email parentheses see the governing board section of the school website for governing council members names and the board email parentheses
- Following the receipt of the notice of appeal or the failure of the head administrator to render a written decision, the governing Council should review all material related to the case and provide a written decision. The decision of the governing council is final.
- The governing Council may determine that a hearing with the Appellate is required by law or needed for additional information. If so, the appellant will be advised of the date, time, and location of the hearing, which will generally be held during closed session at the next regularly scheduled board meeting. The governing Council may also invite any other individuals deemed by the head administrator to be appropriate for a fair resolution of the matter. The governing Council will mail a decision in writing on the matter with a copy thereof to the appealing employee following the hearing. The decision of the governing council is final.

Hearing before the governing council

If the governing Council decides to grant a hearing the following procedures will be followed.

- The parties in interest will submit written statements of position which will be delivered to the governing Council committee chair at least five days prior to the hearing.
- Each party and interest will have the opportunity to present oral statements during the hearing, limited to 30 minutes each.
- The presentation will be limited to a review of evidence previously presented, unless the governing council, and it's discretion, allows new evidence to be presented during the hearing.
- Evidence may not be cross-examined by the other party in interest, however, the governing Council may ask questions of any party as it deems necessary or appropriate.
- Hearings will be conducted in an executive session, unless agreement request that the hearing be held in a public meeting
- The governing Council will render a written decision within 10 working days after the hearing. and arriving and its decision the governing Council has complete discretion in fashioning such relief, if any as it believes is appropriate, regardless of the Ruby requested. the governing council's decision is final