Washington County School District
121 West Tabernacle Street
Saint George, Utah 84770
435-673-3553

District Policy 1720

Employee Grievance Procedure

Grievance Procedure - Washington County School District - Adopted 8-79; Revised 11-9-04; Revised 6-6-11; Revised 8-9-11; Revised 4-11-17; Revised 9-12-17

1. Purpose:

The purpose of this grievance policy is to provide a procedure by which employees may discuss and resolve disputes regarding interpretation or application of District policies and procedures or disputes regarding employee interactions for administrative resolution.

2. Policy:

2.1. It is the policy of the Washington County School District ("the District") to provide prompt, informal administrative resolution (at the lowest possible supervisory level) to ensure the protection of employee due process rights and maintain our District focus on serving students. The intent of this policy is to provide a concise and orderly means for resolving grievances.

2.2. A "grievance" is an alleged violation of misinterpretation of the terms, meaning, or application of any of the provisions of District Policies or an event or condition which adversely affects the welfare or conditions of employment of an employee or group of employees. It is expressly understood that a claim based upon an event or condition which does not fall within the definitions of this policy shall not constitute a grievance.

2.3. The following complaints, appeals for resolution, or grievances are specifically excluded:

- Complaints regarding disciplinary actions, termination of probationary or provisional employees, and non-renewal of contract, and other matters pursuant to District Policy 1450.
- Complaints regarding educator evaluations or performance reviews and other matters pursuant to District Policy 1432.
- Necessary Staff Reductions pursuant to UCA § 53G-11-516.
- Termination of temporary employees.

• Job classification and compensation issues.

• Resignations or request for transfer.

• Hiring decisions.

• Classroom or grade reassignments.

• Any other matter where the subject and applicable appeal process is specifically identified in another District policy.

2.4. "Days" shall mean consecutive days excluding weekends and District designated Christmas, Fall, and Spring breaks or holidays.

2.5. A grievance must be filed within 30 days of the date the employee knew or should have known of the actions giving rise to the grievance.

3. Procedure:

3.1. Informal Procedure:

3.1.1. Step 1: The employee shall first discuss the dispute or grievance directly with the individual with whom the dispute arose. This is an important first step. If this initial meeting or interaction is impossible due to safety concerns or immediate hostility, the grievant should document either an attempt to contact the individual with whom he has the grievance or document the hostility or unavailability that makes this first step impossible to carry out.

3.1.2. Step 2: If the grievance is not resolved at Step 1, the employee may next provide a written statement of the complaint to his/her school administrator or building supervisor with the objective of resolving the matter. The principal or supervisor may ask the grievant for additional information, discuss the grievance with the grievant, and/or question other employees. The school administrator or building supervisor should be as confidential as possible with the grievant's statement. The principal will provide the grievant with a written response to the grievance within 20 days of receiving the written information from the grievant. The principal shall also maintain a copy of his/her written response.

3.2. Step 3: Formal Procedure (If necessary): If after the informal procedure has been followed the grievant remains unsatisfied with the principal or supervisor's response, the formal procedure, below, shall be followed in sequence as needed.

3.2.1. Appeal to the Superintendent's "Designee:" the grievant may submit his unresolved grievance to the Superintendent who will assign the grievance (received by his office initially) to an appropriate Designee within 5 days of receipt of the written unresolved grievance from the employee.

• The Designee will be assigned based on impartiality and qualifications.

• The Superintendent is encouraged to select a Designee from a pool of qualified candidates who have knowledge, skill, or training necessary to resolve employee disputes. When possible, the Superintendent is encouraged to provide dispute resolution

training to Designee candidates.

• The Designee will review the written information about the grievance.

• The Designee will informally meet with the grievant.

• The Designee will consider the principal or supervisor's written information and response.

• The Designee may ask questions and/or informally meet and consult with parties in an attempt to resolve the grievance.

• The Designee will provide a written recommendation to the grievant and the Superintendent within 15 days of assignment by the Superintendent to review with grievance.

3.2.2. Final Superintendent Review:

• The Superintendent shall review the Designee's response.

• The Superintendent may, at his/her discretion, informally meet with the parties to review the Designee's findings.

• Following review, the Superintendent may adopt, modify, or make his/her own findings or conclusions.

3.2.3. The Superintendent shall provide a written response to the grievant within 10 days of receipt from the Designee.

3.2.4. The Superintendent's response is the final administrative action in the grievance.

3.2.5. The Superintendent will keep the Washington County School District Board of Education apprised of the process and provide a copy of the final decision.

3.3. Miscellaneous Provisions:

3.3.1. No person shall suffer recrimination or discrimination because of participation in this grievance procedure.

3.3.2. Confidentiality will be observed in accordance with Utah law.

3.3.3. Nothing contained herein shall be construed so as to limit in any way the ability of the District and the employee and others to resolve any grievance, mutually and informally.

3.3.4. Employees shall attempt to resolve grievances pursuant to the administrative remedy stated in this policy before remedies at law are pursued by the employee.

3.3.5. Notice of all responses or decisions relative to grievances under this policy shall be hand delivered or delivered by reasonable, secure means, certified mail, return receipt requested, or secure mail.

3.3.6. All records of these proceedings are maintained in accordance with the Utah Government Records Access and Management Act.