BCEA/BOE Negotiations

2018 Article Revisions Agreement

**ARTICLE VIII**

**GRIEVANCE PROCEDURES**

**8.3 PROCEDURES – INFORMAL LEVEL**

A. The parties hereto acknowledge that it is usually most desirable for a teacher and the teacher’s immediately involved supervisor to resolve problems through free and informal communications.

Inability to revolve or discuss problems at the informal level shall not prohibit a teacher from filing a formal grievance within 100 school days from the date of the original incident.

 When requested by a teacher, a representative of the Association shall accompany the teacher and assist in the informal resolution of the grievance, advising the administration one (1) day prior to the meeting of the Grievant’s plan to be represented.

 If the administrator is going to be represented by other administrators, he/she shall inform the Grievant of this one (1) day prior to the meeting.

 Within five (5) days after presentation of the informal grievance, the principal or immediate supervisor shall give his/her answer orally to the Grievant.

 Every effort should be made by both parties to resolve any grievance at this stage provided that the adjustment is not inconsistent with the terms of this Agreement and meets the approval of the Association. If, however, the informal process fails to satisfy the teacher or the Association, a formal grievance may be filed. Only district employees may file grievances, unless the incident involves a violation of federal or state law.

The formal grievance shall be processed according to the Levels of Communication of Grievance described in 8.4

* 1. **LEVELS OF COMMUNICATION OF GRIEVANCE – FORMAL**

LEVEL I: Within ten (10) days of the informal communication of the grievance the Grievant may present the grievance in writing to the principal or immediate supervisor for his/her disposition. The supervisor shall discuss with the teacher the nature of the grievance and any action that the supervisor believes should be taken to resolve the concern of the teacher. The supervisor shall provide a written response including rationale to the teacher and the Association no later than ten days after receipt of the teacher’s written communication of the grievance.

LEVEL II: If the grievance is not resolved at Level One, or if no written decision has been rendered within the time limit, the teacher or Association may, within five (5) days after receiving the Level One decision, appeal the grievance to Level Two. The appeal shall include a copy of all materials and evidence previously submitted and a copy at the same time shall be given to the principal or immediate supervisor involved. The Grievant shall submit the written claim signed by him/her to the Superintendent.

LEVEL III: Within ten (10) days of the receipt by the Superintendent of the appeal, the Superintendent or Designee will arrange a meeting with the Grievant. Within five (5) days of the conclusion of the meeting, the Grievant shall be provided with the Superintendent’s or Designee’s written response, including the reasons for the decision. In rare instances, it may be appropriate for the Teacher Association to give his/her communication of grievance directly to the Superintendent or Designee thus bypassing Levels I and II of this procedure. This action shall be taken only in those rare instances where the grievance communicated is of such a personal and private nature that it cannot be effectively communicated at Levels I and II; or, in those instances where the nature of the grievance would require the initial response of the Superintendent or Designee.

**PROPOSED**

LEVEL III: Within ten (10) days of the receipt by the Superintendent of the appeal, the Superintendent or Designee will arrange a meeting with the Grievant. Within five (5) days of the conclusion of the meeting, the Grievant shall be provided with the Superintendent’s or Designee’s written response, including the reasons for the decision. In rare instances, it may be appropriate for the Teacher Association to give his/her communication of grievance directly to the Superintendent or Designee thus bypassing Levels I and II of this procedure. This action shall be taken only in those rare instances where the grievance communicated is of such a personal and private nature that it cannot be effectively communicated at Levels I and II; or, in those instances where the nature of the grievance would require the initial response of the Superintendent or Designee.

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Boone County Board of Education Representative

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BCEA Representative

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