

1.8 DISPUTE RESOLUTION AND GRIEVANCE POLICY

Scholars Academy is committed to providing the best possible conditions for all members of the school community. Part of this commitment is encouraging respectful and collaborative dialogue between school community members. For the purpose of clarification, school community members include students, teachers, staff, parents, alumni and members of the Board of Directors.

If a community member or visitor to the school identifies that established rules of conduct, policies or practices have been violated or have other disputes to voice, he or she may express his or her concerns through the following dispute resolution policy.

This policy strictly prohibits any person who utilizes the levels of the dispute resolution and grievance processes from being retaliated against or penalized formally or informally by any member of the school community.

Level I: Dispute Resolution with Teacher, School Staff Member or Other Community Member

Step 1: Where a dispute or concern involves an issue arising with a teacher, other staff member or other community member, the aggrieved party should seek to resolve the issue with the teacher, other staff member or other community member the dispute directly involves. This should be done with a scheduled face to face or over the phone meeting. Both parties should find a mutually agreeable time for a discussion. If practicable, the parties will meet within seven (7) school days to discuss the concern or dispute and may involve other relevant parties, if necessary.

Step 2: If a dispute or concern with a teacher, staff member or other community member is not satisfactorily resolved after the discussion in Step 1, the aggrieved party should seek to resolve the dispute with the Executive Director or his or her designee. Both parties should find a mutually agreeable time for discussion. If practicable, the parties will meet within seven (7) school days to discuss the concern or dispute and may involve other relevant parties, including the teacher, staff member or other community member the aggrieved party has the dispute with. The parties will attempt to reach a consensus during dispute resolution. If the dispute is not resolved by the members involved or the Executive Director's designee, the Executive Director has the final decision making power in any dispute resolution.

In the event of a time constraint, conflict of interest, or other unforeseeable circumstance, the Executive Director or his or her designee, in conjunction with the Board of Directors (the "Board"), may elect to skip Step 2 and instruct the aggrieved party to file a Grievance as outlined in Level II below.

Level II: Appealing the Dispute Resolution-Filing a Formal Grievance with Teacher, School Staff Member, Other Community Member or the Board of Directors

The Board recognizes that effective school governance requires that the primary responsibility for issues involving student discipline, curriculum, assessment and other day-to-day decisions regarding school management lies with the faculty, staff and Executive Director of Scholars Academy and these individuals are best suited to resolve disputes that arise with respect to these issues. The Board has the authority to appoint, employ, and remove the Executive Director, but primary responsibility and authority over faculty, staff and volunteer organizations of Scholars Academy are vested in the Executive Director. The Board, therefore, will exercise any authority in this policy conservatively and narrowly so as not to usurp the authority granted to the Executive Director.

A Grievance may be filed for the following reasons:

- An aggrieved party followed the steps in Level I of this policy and wants to appeal the decision made in Step 2 from Level I due to an unsatisfactory result regarding a specific policy, rule, regulation or law that is believed to have been violated.
- The aggrieved party was not offered the ability to participate in Dispute Resolution within the predetermined amount of time specified in Level I (as determined at the sole and complete discretion of the Board)—for sake of clarification, the aggrieved party must make a substantial effort to meet and resolve the dispute or concern and be able to demonstrate that they have done so.
- The dispute or concern is such that the Executive Director is biased or has a conflict of interest, or that the Executive Director would be seen by a reasonable person as potentially biased or having a conflict of interest which could preclude him or her from issuing a fair decision in the Level I Dispute Resolution process.
- An aggrieved party believes a specific policy, rule, regulation or law has been violated by the Board.

A Grievance may not be filed under the following circumstances:

- A specific policy, rule, regulation or law has not been violated. For the avoidance of doubt, a challenge to a school policy shall follow the steps outlined in the policy titled Procedure for Adoption of a Proposed Policy or Policy Revision by the Board.
- An aggrieved party did not complete Level I Dispute Resolution if the dispute or concern involves an issue arising with a teacher, other staff member or other community member.
- A grievance made on behalf of another family or another school employee.

Step 1: The aggrieved party must submit a written grievance to the Chair of the Board using the Grievance Form within ten (10) school days following the decision made in Level I, which is available on the school's website. The form will ask the aggrieved party for a succinct description of the specific grievance and related details. It will require a description of the steps

taken during Level I of this policy prior to filing a grievance. The form will require the identification of any specific policy, rule, regulation or law believed to have been violated.

Step 2: The Chair of the Board will review the grievance to verify:

- Correct completion of the Grievance Form
- Level I of this policy was completed, if the dispute or concern involves an issue arising with a teacher, other staff member or other community member; or if not completed: (1) the aggrieved party made substantial effort to complete it, and/or (2) the aggrieved party is claiming that the Executive Director is, or could be, biased or have a conflict of interest.
- The grievance submitted specifies the policy, rule, regulation or law that is believed to have been violated

If the Chair of the Board has a conflict of interest, the Chair shall ask the Vice Chair to complete the remaining steps in the Level II Grievance process. Should the Vice Chair have a conflict of interest, the decision making process will be delegated to the remaining members of the Board to complete the remaining steps in the Level II Grievance process.

Step 3: The Chair will submit a response to the aggrieved party (with a copy to all other Board members and the Executive Director) within ten (10) school days of receiving the written grievance with the next steps.

The response to the aggrieved party from the Chair of the Board will include:

- If the dispute submitted is verified as a Level II Grievance and if a hearing will be held.
- If the submitted dispute is not verified as a grievance, then the determination made by the Executive Director from Level I Dispute Resolution will be “final” in nature.
- If the submitted grievance can be resolved by reference to an existing policy or based on precedent previously set by the Board, Committees, or Administration.
- If a hearing will be held, the date and time the hearing will occur, and guidelines by which it will be conducted.

Step 4: When a hearing is granted, a panel of the Grievance Committee, which will consist of at least one parent, one staff member and one Board member all who will be appointed by the Chair of the Board (in consultation with the officers of the Board which may be done by email communications). The grievance shall be heard within ten (10) school days of the date the Board Chair’s notice is issued to the aggrieved party. Meetings of the Grievance Committee are subject to Open Meetings Law. Grievances dealing with confidential student or personnel issues will be conducted in Closed Session. During the hearing, each side will be given fifteen (15) minutes to present their argument and/or evidence. Such time limit shall be strictly enforced. The Grievance Committee will keep minutes of the hearing. The Grievance Committee may affirm, reverse, or modify the decision of the Executive Director from Level I. The Grievance Committee may choose to investigate the grievance further before deciding to affirm, reverse or

modify the decision from Level I. If further investigation is necessary, the Grievance Committee will allocate reasonable time and resources to resolve the matter.

Step 5: A written response will be sent to the aggrieved party within a reasonable time period not to exceed thirty (30) school days from the date of the hearing.

Level III: Appealing a Grievance Decision from the Grievance Committee with Teacher, School Staff Member, Other Community Member or the Board of Directors to the full Board of Directors

Any party from a Level II Grievance can appeal the decision from the Grievance Committee to the full Board following the steps below. The decision as to whether to hear, or not hear, a Level III Grievance Appeal will be made by the Chair of the Board, in consultation with the full Board which may be done by email communications. After the Chair notifies the Board of his or her decision and if there is dissention from the Board members, a majority of the Board may call a special meeting of the Board within three (3) days to discuss whether the Level III Grievance Appeal will or will not be heard. After three (3) days, the Board Chair shall notify the aggrieved party pursuant to the steps listed below, and his or her decision shall become final and is not appealable.

Step 1: Submit your Grievance Form to the Board using the previously submitted Grievance Form from Level II within ten (10) school days following the decision made at Level II.

Step 2: The Chair of the Board, in consultation with the full Board, will review the grievance to verify:

- Level I, if applicable, and Level II of this policy were completed.

Step 3: The Chair of the Board will submit a response to the aggrieved party (with a copy to all other Board members and the Executive Director) within ten (10) school days of receiving the written grievance with the next steps.

The response to the aggrieved party from the Chair of the Board will include:

- If the dispute submitted is verified as a Level III Grievance Appeal and if a hearing will be held.
- If the dispute submitted is not verified as a grievance appeal, then the determination made by the grievance committee from Level II Grievance will be “final” in nature.
- If a hearing will be held, the date and time the hearing will occur, and guidelines by which it will be conducted.

Step 4: The grievance shall be heard within ten (10) school days of the date the Board Chair’s notice is issued to the aggrieved party. Meetings of the Board are subject to Open Meetings Law. Grievances dealing with confidential student or personnel issues will be conducted in Closed Session. During the hearing, each side will be given fifteen (15) minutes to present their argument and/or evidence. Such time limit shall be strictly enforced. The Board will keep

minutes of the hearing. The Board may affirm, reverse, or modify the decision of the Grievance Committee from Level II. The Board may choose to investigate the grievance further before deciding to affirm, reverse or modify the decision from Level II. If further investigation is necessary, the Board will allocate reasonable time and resources to resolve the matter.

Step 5: A written response will be sent to the aggrieved party within a reasonable time period not to exceed thirty (30) school days from the date of the hearing. The decision of the full Board is final and is not appealable.

Policy Amended: April 23, 2018

Grievance Form

Name: _____

Student's Name, If Applicable: _____

Phone #: _____

E-mail: _____

Description of Grievance (include information on violated policies, if any):

Requested Remedy:

Steps Taken during Level I (Dispute Resolution):

Board policy, rule, regulation or applicable law that was violated:

I certify that I have read the Dispute Resolution and Grievance Policy and the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

Complainant: _____ Date: _____

Submit this form to the Board Chair. You should receive a response within ten (10) school days.