

## **402.05 Employee Grievances**

Friday, August 11, 2023

### **EMPLOYEE GRIEVANCES**

Complaints of employees against fellow employees should be discussed directly between employees. If necessary, complaints shall be brought directly to the immediate supervisor, principal or superintendent and shall be made in a constructive and professional manner. Complaints shall never be made in the presence of other employees, students or outside persons.

Informal Hearings: Hearings involving the non-renewal of a probationary certified employee's contract or the non-renewal of the contract for the superintendent of schools shall not be due process hearings and need not meet the requirements of a due process hearing. For certified employees other than the superintendent of schools, these hearings may be held before a committee of the board of education consisting of not less than three of the board of education's total members. Notice of such hearings shall be sent to all members of the board of education at least five (5) days prior to a hearing. If a hearing is held before a committee of the board of education, the committee shall make a recommendation to the board of education with the final determination being made by a majority of the entire board of education.

Such hearings shall be held in closed session at the request of the certified employee or the superintendent of schools involved, or his or her representative, and upon affirmative vote of a majority of the members of the board of education present and voting, but the formal action of the board of education for renewal or non-renewal a contract shall be taken in open session.

Due Process Hearings: All permanent certified personnel shall be granted a formal due process hearing with the board of education for those reasons and in the manner so stipulated by the statutes. All due process hearings will be held as prescribed by statute.

Nothing in this policy shall contradict the requirements stated in the Negotiated Contract between employees in that certified collective bargaining unit and the board.

The Banner County Education Association will be given 60 days notice if the Board of Education is going to change 402.05- Employee Grievances policy and/or 402.05R2- Grievance Procedures for Certified Employees regulation.

Cross Reference:

301.04 Communication Channels