

Kingdom Christian Academy
~ Internal Policy ~

TITLE: **Grievance Policy**

EFFECTIVE DATE: **December 18, 2007**

Policy # : **2007-003**

RELATED POLICIES & FORMS: **Complaint/Grievance Form KCA-0010; Complaint / Grievance Acknowledgement Form KCA-0011; Disciplinary Review and Appeal Form KCA-0012; Employee Complaints & Discipline Policy #2007-002; Disciplinary Review Panel #2007-004; Retention of Documents #2007-005; Scriptural References: Matthew 7:1-3 & Matthew 18:15-17.**

Purpose: To create a standardized method for receiving and handling grievances of one employee against another employee (or volunteer) of Kingdom Christian Academy.

Scriptural References:

- **Matthew 7:1-3**
- **Matthew 18:15-17**

1. **Complaints vs. Grievances** – For the purposes of this policy, it shall not be considered a “grievance” when a non-employee of Kingdom Christian Academy wishes to complain against an employee (or volunteer). In such instances the correct term to use would be a “complaint” and shall be handled in accordance to the Complaints Against Staff, Employees, & Volunteers Policy (#2007-002).

2. **Steps in Filing a Grievance** - When an employee (or volunteer) of Kingdom Christian Academy feels that they have a justifiable grievance against another employee (or volunteer), they may wish to file a formal grievance through the proper chain of authority for resolution, but only in accordance with this policy.

- a. **STEP 1** - Upon wishing to file a grievance, the grieving employee should first conduct a review of school policy, and read scriptural references from Matthew 7:1-3, and Matthew 18:15-17.
- b. **STEP 2** - After proper review, the grieving employee should then attempt to resolve the grievance within three (3)

school business days by directly contacting the person who is causing the grievance.

c. **STEP 3** - If a personal contact is does not resolve the grievance an employee (or volunteer) may file a formal grievance against another employee (or volunteer) by completing and signing a **Complaint/Grievance Form (KCA-0010)**. The narrative of the grievance form should include a detailed explanation of the cause of the grievance and an explanation of the steps taken to alleviate the grievance.

d. **STEP 4** - The employee shall present their signed and completed Complaint/Grievance Form, which caused the grievance, to the principal within seven (7) days after the event, **except** when the principal is the recipient of the grievance, then the employee shall instead present their completed grievance form directly to a board member.

3. **Respondent’s Right to Respond-** A person, who is the respondent of a grievance, shall be notified by the principal (or a board member when the respondent is the principal) within three (3) business days after having received a formal grievance on a Complaint/Grievance Form. Thereafter, the respondent shall be provided (3) days to respond to the grievance in writing on the **Complaint/Grievance Acknowledgement Form (KCA-0011)**. Employee’s Duty to Cooperate – It shall be the duty of each employee (or volunteer) to cooperate with the principal and/or school board member who is handling (or investigating) the

grievance. Upon request, each employee (or volunteer) shall provide any and all related information, both verbal and written. Failure to cooperate may be deemed an indication of guilt and could possibly subject the alleged employee (or volunteer) to further scrutiny, disciplinary action and/or termination.

3. **Fact Finding Investigations** – If further investigation is needed for the purpose of determining facts of the case, such investigation shall be conducted by the principal and/or school board member (or in the event the principal is the alleged, then the school board will investigate). The principal or board member may interview witnesses, as needed. All interviews should be well documented by the person conducting the interview.

4. **Employee's Duty to Cooperate** – It shall be the duty of each employee (or volunteer) to cooperate with the principal and/or school board member who is handling (or investigating) the grievance. Upon request, each employee (or volunteer) shall provide any and all related information, both verbal and written. Failure to cooperate may be deemed an indication of guilt and could possibly subject the alleged employee (or volunteer) to further scrutiny, disciplinary action and/or termination.

5. **Principal or School Board to Resolve** –

a. **Principal-** When a formal grievance has been submitted to the principal, a judgment concerning the grievance shall be made by the principal. The principal should make every attempt to resolve the issue within seven (7) days after the respondent has provided their statement to the principal. Once a judgment has been made, the principal shall notify the grieving employee and respondent in writing as to the decision made within three (3) days after the judgment. Regardless of whether or not the grievance is ultimately resolved, the principal shall provide a copy of the grievance to the school board at the next regularly scheduled board meeting.

b. **School Board-** When the respondent of a grievance is the principal and a formal grievance has been submitted to the school board, a judgment concerning the grievance shall be made by the school board. Every attempt should be made by the board to resolve the issue at the next scheduled school board meeting in **closed session**, or in **special session** if there is urgent need for quick resolution. Once a judgment has been made, the school board shall notify the respondent in writing as to the decision made within three (3) days after the judgment.

6. **Cleared Grievances** –

a. **Exonerated Grievance-** If after all facts are obtained, the principal or the board member handling the grievance determines that the grievance was generated as a result of the alleged employee (or volunteer) following proper school policy, then the employee (or volunteer) shall be considered “exonerated”. In such instances, the principal or board member should send a letter to both the respondent (or volunteer) and to the grievant explaining the school policy and clearance for the employee's actions.

b. **Unsubstantiated or False Grievance**
If after all facts are obtained, the principal or board member handling the grievance determines with clear and convincing evidence (or the lack thereof) that the grievance is without merit or unable to be substantiated, then the principal or board member should send a letter to both the respondent and the grievant explaining that the grievance lacks merit or was found to be unsubstantiated.

5. **Verified Grievances**

a. **Recommendations For Disciplinary Action** –If upon discovery of all relevant facts, the principal (or the school board) makes a determination that the grievance is valid and negligence, violation of school policy, criminal wrong-doing, and/or unprofessional conduct exists, the

principal or board member handling the complaint shall recommend training, corrective measures, discipline, and/or termination for the respondent and/or grievant. Such recommendation shall be in written format in the appropriate area at the bottom of the *Complaint/Grievance Acknowledgment Form (KCA-0011)*.

Grievance Forms filed under authority of this policy in the affected employee (or volunteer) personnel file, as well as the records of investigation and/or discipline shall be retained or destroyed in accordance with school policy entitled **Retention of Documents (#2007-005)**.

5. **Resolution of Principal or School Board Subject to Appeal**- Should the employee, who filed the grievance, or the respondent feel that the grievance has not been sufficiently resolved from the judgment made by the principal (or school board), he/she may file an appeal to the Disciplinary Review Panel by completing a *Disciplinary Review & Appeal Form (KCA#-0012)*. The employee or respondent shall present a completed appeal form to the principal or a board member within seven (7) days after receiving notification of the judgment.
6. **Disciplinary Review Panel**- All qualified appeals shall be heard by a Disciplinary Review Panel as described in the policy entitled **Disciplinary Review Panel (#2007-004)**.
7. **Board Action in Lieu of Complaint Process Not Prohibited** - Nothing in this directive shall be construed as to prohibit the school board from initiating disciplinary action, requiring additional training, or terminating an employee (or volunteer) for reasons when no Complaint/Grievance Form has been filed. Such instances would generally be related, but not limited to:
 - a. Failing to perform in accordance with contract,
 - b. Failure to exhibit professional conduct,
 - c. Violation of school policy,
 - d. Criminal violations,
 - e. Sexual harassment,
 - f. Insubordination.
8. **Retention & Destruction of Complaint/Grievance Forms & Files** - Complaint/

AUTHORITY _____
(KCA School Board)

Date Approved By Board: _____