

# MONTESSORI PEAKS ACADEMY EMPLOYEE GRIEVANCE POLICY

Montessori Peaks Academy (hereinafter “MPA”) is a public charter school, chartered through the Jefferson County Public School District. The following outlines our grievance policies and procedures for MPA employees and independent contractors.

## Goals

MPA values open and proactive communication among and between the members of the school community, including parents, legal guardians, students, faculty, staff, administration, and the Board of Directors of Montessori Peaks Academy (“MPA Board”). Issues that are not dealt with directly can become destructive to the school community and, therefore, detrimental to the learning process of our students. As adults we must model for our students a willingness to address conflict directly. As such, MPA’s procedures (outlined below) for settling differences are designed to support prompt and equitable resolution of disagreements at the lowest possible faculty or administrative level and without fear of reprisal.

**The administration and MPA Board expect that the concerned party will first speak directly with those directly involved and then (if necessary) “work up” to the appropriate supervising MPA administrator and finally, to the MPA Board.** If the issue concerns the Before/Aftercare Program, the Administration and MPA Board expect that the concerned party will first speak directly to the Before/Aftercare staff and program director. The Administration and MPA Board both expect that conflict will be addressed and proactively dealt with following the fewest steps of the procedures below.

## Scope

The Principal and other administrators, not the MPA Board, manage the school on a daily basis. All MPA Board decisions must be conducted in accordance with the school's Articles of Incorporation, bylaws, previously enacted policies, and applicable laws and regulations of the State of Colorado.

This policy addresses the MPA Board’s formal grievance policy for all MPA employees and independent contractors. Only grievable matters are addressed by this policy. A “grievable matter” involves any action which violates or inequitably applies an applicable rule, regulation, policy or law, including the MPA employee handbook and the District’s nondiscrimination policies, and which adversely affects the employee's working conditions. Grievable matters include, but not limited to: harassment, sexual misconduct, racial or ethnic bias, or threats.

Grievable matters *do not* include actions by administrators over which the MPA Board has no authority, including dismissals, non-renewals, suspensions, disciplinary actions, or reassignments, unless there is an allegation that the action in question violated an applicable rule, regulation, policy, or law. Most concerns within the school community will not rise to the level of a “grievable matter.”

## **Grievance Committee**

Recognizing the need for flexibility in appropriately gathering information and responding to grievances, the MPA Board has designated a grievance committee consisting of two MPA Board Directors to receive all formal grievances on behalf of the MPA Board. The two members of the Grievance Committee will each serve one year terms upon appointment by the MPA Board. The terms of service shall be staggered; one Director will be appointed in June to serve a one year term and another Director appointed in December to serve a one year term.

# **EMPLOYEE AND INDEPENDENT CONTRACTOR GRIEVANCE PROCEDURE**

## **I. FILING A FORMAL GRIEVANCE**

A. A written grievance shall be filed with the MPA Grievance Committee. The written grievance shall:

- a. Describe all events and allegations with specificity;
- b. Cite the school policy that has been violated or inequitably applied;
- c. Describe what conflict resolution strategies have been attempted with all parties involved, including administrators; and
- d. Explain what corrective action or remedy is being requested.
- e. Any complainant who believes that there is *imminent risk* of harm to his/her safety or well-being shall report the matter to the appropriate authorities immediately.

B. The Committee may, at its sole discretion, further investigate the allegations to determine if the written grievance involves a “grievable matter,” utilizing whatever procedures it determines most effective to garner further information,

including one-on-one meetings with the grievant, non-board members, staff, administrators or outside professionals.

C. If the MPA Grievance Committee believes that the allegations **do not** involve a “grievable matter,” it shall refer the complaint to the Principal to informally resolve in a timely manner. The Grievance Committee may share the complaint with the full MPA Board if the complainant so requests, but such referral is informational only, and neither the Grievance Committee nor the Board may take action on the matter.

D. If the MPA Grievance Committee believes that the allegations **do** involve a “grievable matter,” it shall:

- a. Refer the written grievance to the Principal, who shall review the matter and provide a timely written response the Grievance Committee;
- b. Report on the receipt of a formal grievance to the entire MPA Board at the next general MPA Board meeting;
- c. Upon receiving a written response from the Principal, and if necessary, gather further information, utilizing whatever procedures it determines most effective to garner further information, including one-on-one meetings with the grievant, non-board members, staff, administrators or outside professionals; and
- d. Upon completion of its inquiry, present findings to the MPA Board for consideration.

## **II. MPA BOARD HEARING PROCEDURES FOR GRIEVANCES**

- A. The MPA Board shall meet in either Regular, Special or Executive Session, as appropriate, to address formally submitted grievances that have complied with the above procedures.
- B. During the appropriate session, the MPA Board will consider each grievance on its merits to determine whether the information presented in the request leads a reasonable person to believe that there has been a violation of a rule, regulation, policy, or law.
- C. All parties to the grievance shall be formally invited by the MPA Board to the MPA Board session to which the grievance has been placed upon the Agenda. At its sole discretion, the MPA Board may allow additional parties to appear. The MPA Board may also seek advice or guidance from the Jefferson County School District, legal counsel, or any other appropriate outside person.

- a. If the grievance is a matter of school policy or procedure, or clarification of an issue, it will be discussed in open MPA Board session per the Agenda.
  - b. If the grievance is a personnel matter, including but not limited to considerations for disciplinary action of a staff member or involves students, a parent or community member, the concerns will be shared in an executive session of the MPA Board with all parties to the grievance present.
- D. If, after careful consideration of the matter, the MPA Board **does not believe** there is sufficient evidence that there has been a violation of a rule, regulation, policy, or law, the MPA Board will take no further action.
- E. If, after careful consideration of the matter, the MPA Board **determines there is reason to believe** that there has been a violation of a rule, regulation, policy, or law, the MPA Board will take appropriate action.
- F. The MPA Board shall provide a timely written response detailing its findings to all parties involved.
- G. The decision of the MPA Board is final but subject to appeal in accordance with applicable law.