

# Weakley County Board of Education



Monitoring:

Descriptor Term:

**Complaints and Grievances**

Descriptor Code:

5.501

Issued Date:

6/7/2018

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## **EMPLOYMENT-RELATED COMPLAINTS/GRIEVANCES**

The Board believes that differences of opinions arising in the course of employment should be resolved as quickly as possible and at the lowest supervisory level.

In instances of questions by an individual staff member concerning the interpretation of policies and procedures to that staff member, administrative practices within his/her particular school, and relationships with other employees, the staff member concerned must consult the administrative or supervisory personnel to whom he/she is responsible. If a satisfactory resolution of the problem cannot be reached after ample opportunity for consideration of the matter, the staff member concerned may discuss the matter with the next level of supervision up to and including the director of schools.

In instances where an individual staff member feels for personal reasons that he/she cannot discuss a problem with his/her immediate superior, he/she may take the problem directly to the director of schools. After review of the case, the director of schools shall take action as he/she deems appropriate and within a prompt, reasonable time shall notify all parties concerned of his decision.

## **HARASSMENT/DISCRIMINATION GRIEVANCES**

Employees should notify any district complaint manager if they believe the Board, its employees or agents have violated their rights guaranteed by the State or federal Constitution, State or federal statute or board policy including: <sup>1,2,3</sup>

1. Title II of the Americans with Disabilities Act <sup>4</sup>
2. Title IX of the Education Amendments of 1972 <sup>5</sup>
3. Section 504 of the Rehabilitation Act of 1973 <sup>6</sup>
4. Claims of sexual harassment under Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 <sup>5,7</sup>

The complaint manager will endeavor to respond and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint shall not be impaired

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### Legal References:

- <sup>1</sup> Age Discrimination Employment Act, 29 U.S.C. § 621 et seq.
- <sup>2</sup> Equal Pay Act, 29.U.S.C. § 206(d)
- <sup>3</sup> Immigration Reform and Control Act, 8 U.S.C. § 1324(a) et seq.
- <sup>4</sup> Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.
- <sup>5</sup> Title IX of the Education Amendments, 20 U.S.C. § 1681 et seq.
- <sup>6</sup> Rehabilitation Act, 29 U.S.C. § 791 et seq.
- <sup>7</sup> Title VII of Civil Rights Act, 42 U.S.C. § 2000e et seq.

## 5.501 Complaints and Grievances

1 by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to  
2 the pursuit of other remedies and use of this grievance procedure does not extend any filing  
3 deadline related to the pursuit of other remedies.

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- 5 1. *Filing a Complaint* — An employee who wishes to avail himself or herself of this  
6 grievance procedure may do so by filing a complaint with any district complaint  
7 manager. The employee may request a complaint manager of the same sex. The  
8 complaint manager may assist the employee in filing a grievance.  
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  - 10 2. *Investigation* — The complaint manager will investigate the complaint or appoint a  
11 qualified person to undertake the investigation on his or her behalf. The complaint and  
12 identity of the complainant will not be disclosed except (1) as required by law or this  
13 policy; or (2) as necessary to fully investigate the complaint; or (3) as authorized by the  
14 complainant. The complaint manager shall file a written report within ten (10) days of the  
15 filing of the grievance, of his or her findings with the director of schools. If a complaint  
16 of sexual harassment contains allegations involving the director of schools, the written  
17 report shall be filed with the Board. The director of schools shall keep the Board  
18 informed of all complaints.  
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  - 20 3. *Decision and Appeal* — After receipt of the complaint manager's report, the director of  
21 schools shall render a written decision within five (5) days of the receipt of the report  
22 which shall be provided to the employee. If the employee is not satisfied with the  
23 decision, the employee may appeal the decision to the Board by making a written request  
24 to the complaint manager. The complaint manager shall be responsible for promptly  
25 forwarding all materials relative to the complaint and appeal to the Board. Thereafter, the  
26 Board shall render within thirty (30) days from the date the appeal was received, review  
27 the report and affirm, overrule or modify the decision and render a written finding which  
28 shall be provided to the complainant. This grievance procedure shall not be construed to  
29 create an independent right to a board hearing.  
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### 31 **APPOINTING COMPLAINT MANAGERS**

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33 In accordance with Title IX regulations, the Weakley County Board of Education designates the  
34 Title IX Coordinator as complaint manager. They may be contacted at the Weakley County  
35 Board of Education; 8319 Highway 22, Dresden, Tennessee 38225. They may be contacted by  
36 phone at 731-364-2247.  
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#### 41 Cross References:

- 42  
43 1.404 Appeals to the Board  
44 1.802 Sec. 504/ADA Grievance Procedures  
45 5.104 Equal Opportunity Employment  
46 5.500 Discr./Harassment of Employees