

AFFIRMATIVE ACTION GRIEVANCE PROCEDURE

A. ELIGIBILITY FOR GRIEVANCE

When a student, employee, or any individual or group acting on behalf of a student or employee, feels there has been discrimination on the basis of race, sex, color, national origin, marital or parental status, age, disability, sexual orientation, or religion, he/ she may submit a written grievance to the principal, immediate supervisor, or directly to the Affirmative Action Coordinator.

B. INFORMAL GRIEVANCE PROCEDURE

1. Grievances may be filed in writing within five (5) working days of the alleged act.
2. The Grievance Representative shall hold a pre-grievance meeting between the respondent and grievant, within five days of filing, to collect data, and shall make reasonable effort to resolve the problem without utilizing the formal grievance procedure.
3. The informal grievance procedure shall not be a prerequisite to filing a formal grievance.

C. FORMAL GRIEVANCE PROCEDURE

Level I:

1. A formal written grievance should be filed with the principal, immediate supervisor, or the Affirmative Action Coordinator, as soon as possible, but within 60 days of the occurrence of the alleged incident.
2. The Affirmative Action Formal Grievance Form shall be used for the written grievance.
3. The Level I Hearing Officer shall promptly investigate the grievance. Within five (5) days of the referral, he/she shall submit a written decision to the grievant, the respondent, and the Coordinator.

Level II:

1. If the written grievance is not resolved within five (5) working days and the student or employee wishes to continue the grievance procedure, the

Affirmative Action Coordinator will bring said grievance to the attention of the Superintendent of Schools.

2. The Superintendent will, within ten (10) working days after receiving a written grievance, review the situation in consultation with the Affirmative Action Coordinator and the grievant. He/she will inform the grievant in writing of his/ her decision within the ten (10) working day period.
3. The Superintendent shall arrange a date for the Level II hearing and notify the grievant, the respondent, and the Affirmative Action Coordinator, of the time and place of the hearing.

Level III:

1. If the written grievance is not resolved to the grievant's satisfaction, the grievant may submit a written grievance to the Board of Directors. The Board of Directors will then schedule a time to discuss the grievance.
2. The hearing shall be held in executive session.
3. The Board will notify the grievant of his/ her right to be at the meeting and that the grievant is entitled to representation by counsel and to speak at the meeting if he/she wishes.
4. The Board will notify the grievant in writing of its decision within five (5) working days following the Board meeting.

CONDUCTING GRIEVANCE HEARINGS -ALL LEVELS

1. Duration of the hearing shall be established by the Hearing Officer and shall provide for adequate time for the presentation of evidence.
2. Time shall be allocated for the grievant and respondent in equal parts.
3. Each party involved in the grievance shall be entitled to be represented by counsel and other assistance, as necessary.
4. Both parties shall have the right to present such witnesses as they deem necessary to develop the facts pertinent to the grievance.
5. Both parties shall have the right to use their allocated time to ask questions of any person participating in the hearing.
6. The Affirmative Action Coordinator shall present the grievance formally to the Board prior to hearing the evidence. He/she shall also maintain records of all proceedings.

ALTERNATIVE FILING OF GRIEVANCE

1. A student may, at any time, file a grievance with the Office for Civil Rights/ED, 8th Floor, 5 Post Office Square, Boston, MA, 02109-3921.
 2. An employee may, at any time, file a grievance with the Maine Human Rights Commission, House Station #51, Augusta, ME 04333.

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