

STAFF COMPLAINTS AND GRIEVANCES

Grievance procedures are designed to resolve conflicts that may arise among various members of the staff. These procedures are defined in collective bargaining agreements. Staff members have the right to present complaints and grievances in accordance with the established procedures free from coercion, interference, restraint, discrimination or reprisal.

The district shall implement a multistage grievance procedure and an appellate stage for the settlement of grievances pursuant to the General Municipal Law. In addition, the district shall implement procedures and regulations and designate an employee to carry out the responsibilities under Title IX and Section 504 of the Rehabilitation Act or the Americans with Disabilities Act (ADA).

This policy and accompanying regulation (9140.1-R) provide grievance procedures for those employees not covered by collective bargaining agreements or whose negotiated agreements do not include grievance procedures.

Staff complaints that are not covered under the General Municipal Law, or cannot be resolved under procedures of policies 0100, Equal Opportunity and Nondiscrimination or 0110, Sexual Harassment, Title IX and Section 504 or the ADA shall be subject to the discretion of the Board of Education as to the method by which the complaint may be brought.

Annual Notification

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination due to sex and/or disability to parents/guardians, employees, eligible students and the community. The public notice shall:

1. inform parents, employees, students and the community that vocational education programs are offered without regard to sex, race, color, national origin or disability;
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination due to sex and/or disability; and
3. be included in announcements, bulletins, catalogues, and applications made available by the district.

Cross-ref: 0100, Equal Opportunity

Ref: Americans with Disabilities Act, 42 USC §12111-12117; 12210
General Municipal Law, Article 15c
Title IX, Education Amendments of 1972, 20 USC Chapter 38; 45 CFR
Part 86
Rehabilitation Act of 1973, §504; 29 USC §794
Civil Service Law, Article 14
Matter of Gatje, 24 EDR 191 (1984)

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