



Mountain Song Community School Grievance Policy & Procedures

MSCS strives to be proactive in promoting positive working relationships between all members of the School's community. The School's "community" is defined as

- Board members,
- Executive Leadership Team (ELT),
- Faculty and staff members,
- Parents and family members,
- Visitors and community members, and
- Students.

A grievance is an official statement of a complaint concerning something believed to be wrong or unfair. This policy applies to grievances of any type that may include, but are not limited to:

- Equal Employment Opportunity (EEO) violations; harassment claims; conflict with staff members, students, family members, and/or visitors, etc.
- Decisions made by the school (i.e., Board, ELT, faculty and staff) that are alleged to adversely affect the person making the complaint.
- Situations or circumstances involving the school (e.g., playground safety)

Behaviors, situations, or circumstances that involve legal or criminal matters are not addressed by this policy and should be referred to civil authorities.

The grievance procedures specify how adult members of the school community are expected to express and process grievances. Grievances are made by individuals. The individual making the grievance is called the *grievant* and if the grievance concerns an individual (not a decision or situation) that individual is called the *respondent*.

The ELT and Board are committed to addressing and resolving conflict in a timely manner while following the fewest steps of the procedures below. However, if the conflict is not resolved at the lowest faculty or administrative level, the guidelines below provide a process for resolving the conflict.

The steps below must be followed to ensure that grievances are properly addressed and resolved. All grievances shall begin with Step 1.

Step 1. Address issues among those directly involved – The grievant brings the situation or concern to the attention of those directly involved and attempts to resolve the complaint directly with them. While working directly with the affected parties is ideal, it may not always be possible to reach a resolution or may be inappropriate, e.g., as in harassment situations. After this step

has been attempted the grievant has the option to take the issue to the next steps. The next steps depend on the community members involved in the grievance. Table 1 provides a cross-reference to the steps to follow depending on the role of the grievance and the nature of the grievance.

NOTE: A grievant is not required to address the issue with the person directly involved if the grievant is alleging harassment or discrimination. In case of grievances relating to allegations of harassment or discrimination, please see the *Our Work Environment* section of the Mountain Song Community School Staff Handbook

Table 1 – Process Depending on Situation

		Decision / Situations	Respondent				
			Parent/Family	Faculty/Staff	ELT	Board	Visitor/Community
Grievant	Parent/Family	Case I	Case II			Case VII	
	Faculty/Staff						
	Visitor/Community						
	ELT	Case VI	Case V	Case IV	Case III		
	Board						

Case I

Grievant: Parent/Family, Faculty/Staff, or Visitor/Community

Object of Grievance: Decision/Situation or Respondent is Parent/Family or Faculty/Staff

Neither the grievant or respondent is a member of the Board or the ELT, or the grievance concerns a decision or situation.

Case I is expected to be the most common kind of grievance. Table 1 reflects this expectation. The following steps provide a baseline for most other situations.

If the grievance concerns a situation or a decision made by the ELT, proceed with Step 2. If the grievance concerns a decision of the Board, skip to Step 4.

2. Facilitate resolution with the assistance of the Executive Leadership Team (ELT) or designee. If a satisfactory resolution is not realized after a direct conversation (e.g., email, telephone, or face-to-face) between the conflicted parties, the situation must be brought to the attention of the ELT or designee within ten (10) days of the initial conversation between the conflicted parties. The ELT or designee and the conflicted parties will schedule a phone call or an in-person meeting within three (3) business days of receiving the complaint (where possible) in order to address the situation, facilitate communication, and develop goals for conflict resolution. The ELT or designee will monitor the process until a resolution is realized or until an impasse is reached. If the concern is regarding the ELT, then the President of the Board or a designee will facilitate the complaint at this level.

3. Prepare a written grievance for the Executive Leadership Team (ELT) or designee. If the grievant is not satisfied with the response received via the first two steps, the grievant shall prepare a formal written grievance to the ELT or designee. The grievance must:

- a) Describe the incident, decision or practice that gave rise to the complaint;
- b) If possible, cite the contract, policy or procedure that has been violated and/or rationale for concern;
- c) Describe what conflict resolution strategies were attempted via steps one and two; and
- d) Explain what corrective action is being requested.

Within five (5) business days from the date on which the written statement was received, the ELT or designee will either issue a written response to the grievant or contact the grievant to schedule a time to address the situation as appropriate. It is the responsibility of the ELT or designee to manage the ultimate resolution of conflicts among faculty, staff, students and family members except in situations that pertain to the ELT themselves or to the ELT's execution of a school-wide policy or procedure.

4. Provide written grievance to the Board of Directors. In cases when the concern has not been resolved in the three (3) steps above to the satisfaction of the grievant, or the grievance concerns the ELT, the grievant may file a formal written grievance to the MSCS Board of Directors. The written grievance must:

- a. Describe the incident, decision, or practice that gave rise to the complaint;
- b. If possible, cite the contract, policy, or procedure that has been violated and/or rationale for concern;
- c. Describe what conflict resolution strategies were attempted via steps one, two, and three; and
- d. Explain what corrective action is being requested.

Current contact information for the Board can be found on the MSCS website under the "Governance" page. Within ten (10) business days of receipt of the grievance, the President of the Board or designee will review the written grievance and provide a written response to the grievant either a) determining that the grievance warrants full review by the Board, b) redirecting the grievant to an alternative course of action, or c) declining to review or act on the written grievance. If the Board President or designee determines that the grievance warrants full review by the Board, the Board shall review the grievance at its next regularly-scheduled Board Meeting and issue a written decision to the grievant within ten (10) business days of the meeting. If declining review, the Board's written response to the grievant will explain the reasons for the determination.

While the Board will hear complaints during the public comment period of a Board meeting, formal grievances shall not be brought to the Board as a matter of public comments, as this does not give the Board sufficient time to consider the issue and address it through the grievance process. The Board will not hear grievances that do not follow the grievance process.

Issues of employee or student privacy may be addressed in Executive Session, as is legally proper.

Case II

Grievant: Parent/Family, Faculty/Staff, or Visitor/Community

Respondent: Member of ELT or Board

If the grievant is a parent/family member, a member of the faculty or staff, or a member of the community and the respondent is a member of the ELT or the Board, then the process in Case I shall be followed except that the respondent is excluded from and does not participate in the process at any step other than to provide salient facts and documentation.

Case III

Grievant: Member of ELT or Board

Respondent: Member of ELT or Board

If both the grievant and respondent are members of the Board or ELT.

2. Provide written grievance to the Board of Directors. The grievant shall prepare a written grievance and submit it to the highest-ranking Board officer who is neither the grievant nor respondent; this officer shall lead the grievance resolution process. Board Officer ranking is:

- President
- Vice-president
- Secretary
- Treasurer

The written grievance shall:

- a. Describe the incident, decision, or practice that gave rise to the complaint;
- b. If possible, cite the contract, policy, or procedure that has been violated and/or rationale for concern;
- c. Describe what conflict resolution strategies were attempted via steps one, two, and three; and
- d. Explain what corrective action is being requested.

3. Review Grievance. At the next scheduled Board meeting following the receipt of the grievance (or the subsequent Board meeting if received three days or less prior to a scheduled Board meeting) the voting members of the Board, excluding the grievant and respondent, review the grievance and take one or more of the following actions:

- Request input from grievant, respondent, or both
- Investigate situation and circumstances by interviewing other involved parties

If these actions cannot be completed during the meeting, action on the grievance (i.e., deliberation and rendering a decision) may be deferred to the subsequent Board meeting. During this period, the grievant and respondent should refrain from interactions that may aggravate the situation further.

4. Discuss and Render Decision. After necessary evidence has been obtained, the voting members of the Board (excluding the grievant and respondent) meet (in executive session, if appropriate) to discuss the grievance and evidence, and render a decision

5. Prepare a written response for the grievant and respondent.

Case IV

Grievant: Member of ELT or Board

Respondent: Faculty/Staff

If the grievant is a member of the Board or the ELT and the respondent is a member of the faculty or staff, the matter shall be handled as an administrative employer/employee situation. If the grievant is a member of the Board, the Board brings the concern to the attention of the ELT, who will, in turn, address the concern through supervisory channels. If the grievant is an ELT member, or the ELT receives a concern from the Board, the concern is brought to the faculty/staff member by the appropriate supervisor who will determine any further action.

Case V

Grievant: Member of ELT or Board

Respondent: Parent/Family

If the grievant is a member of the Board or the ELT and the respondent is a parent or family member, the Board shall include a meeting agenda item to discuss a course of action. The grievant shall not participate in the discussion except to provide evidence or explanation at the request of the remaining members of the Board. The respondent shall be invited to attend the Board meeting when the matter will be discussed and, like the grievant, shall not participate in the discussion except to provide evidence or explanation at the request of the Board.

The Board/ELT shall make every effort to resolve the situation before reaching this point and Board action as described here should be only be pursued in exceptional cases.

Case VI

Grievant: Member of ELT or Board

Object of Grievance: Decision or Situation

As the school oversight bodies, the Board and ELT make decisions for the school and, thus, any objections to or grievances with a decision should be discussed in Board meetings. As part of their duties, Board members may formally object to the decision or vote negatively when votes are cast, thus their position is registered in the Board Meeting minutes.

In the exceptional situation of a member of the Board or ELT still strongly objects to a decision, the grievance process in Case III shall be following with the grievant excluded from the grievance process except for evidence or input at the request of the Board.

Case VII

Grievant: Any member of community

Respondent: Visitor or member of community

The school has no jurisdiction over visitors or community members and therefore grievances may not be made against them and there is no grievance process for this situation. Issues with visitors or community members may be reported to the school officials (ELT and other leadership positions). School officials should document any such issues reported. If issues continue over a period of time or the issue is serious, school officials shall contact local civil authorities for further action.

Grievance process could not be resolved in-school

If processes above are completed and a resolution still has not been reached, then the grievance may be taken up with CSI.

A. Submit a written grievance to the Colorado Charter School Institute (“the Institute”) Executive Director. If the grievant is not satisfied with the MSCS Board’s determination not to review the written grievance or the written resolution reached by the MSCS Board after reviewing the grievance, the grievant may submit its concerns in written format to the Institute within five (5) business days from receiving the written decision of the MSCS Board. After review, the Institute’s Executive Director will publish his/her conclusions in writing within 15 calendar days from receipt of the written concern. The decision of the MSCS Board will not be overturned unless there are compelling grounds that MSCS violated an applicable law, regulation, policy, or contract provision. The Institute can be contacted at (303) 866-3299, csi_info@csi.state.co.us or Colorado Charter School Institute, 1600 N Broadway, Suite 1250 | Denver, CO 80202.