



DENVER LANGUAGE SCHOOL

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Grievance Policy

SCOPE

This process is available for any complaint, grievance or concern by a student, parent, staff member or other appropriately interested person involving a dispute or issue at the School, with the exception of matters involved in policy-making and disputes that are covered by another, more specific, grievance or dispute resolution procedure. For example, this process does not cover:

- School policy disagreements over items on which Board action is already pending or has already been taken.
- Disputes between the School and the school district, or any third party (e.g., a commercial contractor, vendor, etc.).
- Disputes that are already being heard in another forum (e.g., by the school district, before another outside agency or court).

PURPOSE

The purpose of this procedure is to resolve all disputes at the lowest appropriate level and to provide a defined mechanism for disputes that are not resolved at lower levels to be investigated and resolved or, if not resolved, to reach the School's governing Board.

PROCESS

Step 1 — General Rule — Individual Responsibility for Dispute Resolution.

Anyone who believes they have a dispute within the scope of this policy should first raise and attempt to resolve the issue with any person who is the subject or source of the dispute. Thus, in general:

- Disputes about classroom or related practices should first be raised with the teacher(s) involved.
- Disputes about parental behavior should first be raised with the parent(s) involved.
- Disputes about school-wide practices or actions of the administration should first be raised with the administration at each school.
- Individual employment matters should first be discussed with an immediate supervisor.

Bypassing Step 1 and/or Step 2 — Harassment.

Harassment. Whenever a complaint concerns an allegation of harassment (such as, but not limited to, sexual harassment), and any step in this policy would require reporting the dispute to the alleged

harasser, the complainant may bypass that step and proceed to the next step. Such complaints may be made using the grievance form attached as Appendix A. If the alleged harasser is the Principal for the relevant campus or Executive Director, the grievance may be filed with the Board Chair. All matters filed pursuant to this bypass provision shall be promptly reported to the School's General Counsel by the Board Chair.

Steps used and/or bypassed in Employee Discipline or Termination.

In employee discipline or termination matters, the supervisor initiating the discipline or termination shall conduct such meetings or review, if any, as the supervisor deems appropriate and give the employee appropriate notice of the intended adverse employment action. Such notice shall include a statement of any remaining recourse available to the employee (such as an opportunity to be heard by the Board); and of the actions required of the employee to initiate such recourse. Steps of this policy short of Step 3 - Board review may be omitted, as appropriate in the circumstances, in discipline and termination matters.

Final actions of the Board in employment matters shall not be subject to further review under this policy.

Step 2 — Initiation of a Grievance or Request for Dispute Resolution Assistance.

- If an issue or dispute is not resolved at Step 1, any student, parent, staff member, or other properly interested party, who wishes to initiate a formal grievance or formal request for dispute resolution assistance may do so by filling out a grievance/dispute resolution assistance form (attached as Appendix A) and submitting that form (with any appropriate attachments) to the Office Manager for processing. The Office Manager shall give the grievant a copy of this policy; note the date a grievance or request for dispute resolution assistance was received; maintain a file containing the original; immediately provide copies of the same to the Principal for the relevant campus, and file any reports of action taken.

Step 2 — Responsibilities of the Principal and Executive Director — Tracking & Status Reports to the Board.

The Principal for the relevant campus is responsible for making sure any formal grievance or requests for dispute resolution are dealt with in a timely manner, and that the steps taken and any resolution achieved are properly implemented and documented. The Principal for the relevant campus will report any formal grievance or requests for dispute resolution to the Executive Director.

The Executive Director is responsible for making sure the Principal for the relevant campus follows the board grievance policy and for reporting all filed and pending grievances and requests for dispute resolution assistance and their status at each regular meeting of the Board. Reports under this section are intended to be for informational purposes only and not to in any way prejudge the merits of a matter.

Step 2 — Executive Director Response.

The Executive Director may respond at Step 2 by:

- Directing an investigation by others or personally conducting an investigation into any formal grievance or formal requests for dispute resolution.
- Notifying persons named or affected by the dispute and giving such persons an opportunity to respond.

- Conducting or arranging for meetings among the affected persons and any form of mediation, facilitation or other voluntary dispute resolution process that may resolve the dispute.
- Finding that the dispute is not within the scope of this policy.
- Finding that the position of the initiating party lacks merit and that no further action is warranted.
- Directing changes in classroom or school practices or behavior to resolve the dispute.
- Forwarding a matter already resolved at the administrative level, whether as a result of formal grievance proceedings or otherwise, together with any recommendations, to the Board for actions to be taken by the School in order to resolve the dispute, avoid future issues and/or improve School operations.

Step 3 — Board Review —Initiation.

The Board shall review a dispute under the following circumstances:

- If the Executive Director has forwarded a matter to the Board under Financial & Accounting policies;
- If any interested person has, within a reasonable time, requested review of an adverse decision of the Principal for the relevant campus or Executive Director under this policy or the Staff Handbook. Such a request may be made to the Board Chair;
- If the Board decides that a matter should be removed from review by the Principal for the relevant campus and Executive Director and resolved instead by the Board; or
- If the matter comes before the Board under the Board Member Contract and its “bypass” provisions described above in **Bypassing Step 1 and/or Step 2 — Harassment** or **Steps used and/or bypassed in Employee Discipline or Termination.**

Step 3 — Board Review — Process & Decision.

After Board review has been initiated, the Board may:

- Return the matter to a lower step if further action should be taken at that level.
- Direct such further investigation, including investigation by a subcommittee of not more than two (2) Board members, as it deems necessary.
- Conduct such meetings of the full Board — in public or executive session as provided by law — as it deems necessary.
- Provide parties that may be affected by the dispute or the outcome of the grievance process such further opportunity to be heard (including any agreement of the School to alternative dispute resolution) as may be appropriate or just.
- Make a final decision that:
 - The matter is not within the scope of this policy;
 - The position of the initiating party lacks merit;
 - The dispute has not been pursued in a reasonable time or manner; and/or
 - The position of the initiating party is meritorious and certain corrective action should be taken.

MISCELLANEOUS PROVISIONS

Notices.

Whenever the Principal for the relevant campus, Executive Director or the Board is either: scheduling a meeting to hear or to resolve a disputed matter; or referring a disputed matter to another step of this process, the party taking such actions shall cause appropriate notice to be given to the initiating party and any other interested party. Such notice is not required in relation to investigative or deliberative meetings not intended nor required to be open to the parties or the public.

Confidentiality.

Grievances and requests for dispute resolution assistance may or may not concern matters that are confidential as a matter of law. In order to discourage rumors and promote effective dispute resolution, however, all parties to a matter are expected to maintain the confidentiality of the process while it is ongoing. Failure to maintain confidentiality while a matter is being investigated or decided may be considered grounds for denying an otherwise meritorious grievance or taking other corrective action without regard to the merits of a dispute. DLS cannot and does not, however, guarantee the confidentiality of matters raised in this process. The general rule of confidentiality established in this policy may be overridden, in some cases, by binding rules of law. For example, if a Board decision is made, at least the final vote of the Board, and in some cases, the Board's discussion of the matter and rationale for the vote, will be public under Colorado's Sunshine Law. Where a matter has become public, the restrictions in this paragraph may not apply. Filing notices, charges or other complaints with outside agencies in order to meet a deadline established bylaws shall not be considered a violation of this paragraph.

Process not Exclusive in Determining School Policy — Board Discretion Regarding Required

Although allowance for school policy changes are within the scope of this grievance process, it is not the only nor primary mechanism for determining school policy at DLS. Parties are not required to use this process in order to participate in school policy-making efforts; address concerns to the Principal for the relevant campus; address concerns to Executive Director; or speak out at board meetings on matters of general concern to the school community.

The Board may, however, in its discretion, direct a party to utilize this process with regard to any issue the Board deems most appropriately considered through this process. The failure to raise an issue concerning a particular staff member or parent with that staff member or parent, or the failure to address an issue with the school administration before coming to the Board, may be grounds for the Board to refuse to consider a matter before it has been properly considered at a lower level of School management and governance.

Approved 01/15/2019

Appendix A

Please respond to the following numbered items. You may submit a letter or any other relevant documents in support of the grievance by attaching them to this form.

DLS GRIEVANCE/REQUEST FOR DISPUTE RESOLUTION ASSISTANCE

1. Briefly describe the issue you are concerned with and any steps you have taken to resolve it up to this point.

2. Please state your name, how we can contact you, and your involvement with the issue and the school, if that is not already clear from the description provided under # 1.

3. Indicate whether you have a preference that this be handled as: a grievance; an informal request for help in resolving a dispute; or I'm not sure. [Note: your preference in this regard will be one factor in determining whether this is treated as a grievance or handled more informally]

4. List person(s), if any, you are making a grievance against.

5. List any person(s) you know is/are witnesses to any incident(s) involved in this dispute.

6. What would you like to see changed?

I WILL KEEP THIS MATTER CONFIDENTIAL WHILE IT IS INVESTIGATED AND WHILE RESOLUTIONS ARE DISCUSSED AND THE MATTER DECIDED.

I HAVE BEEN GIVEN A COPY OF THE DLS GRIEVANCE POLICY.

_____ Signature of Grievant