

## LIBERTY TREE ACADEMY GRIEVANCE POLICY

### Policy

Complaints and grievances are best handled and resolved as close to their source as possible. Employees, students, and community members, who consider any person's behavior to be inconsistent with guidelines are encouraged (but not required) to tell that person that his or her behavior is considered inappropriate and request that the conduct stop. Persons so told should comply immediately with such requests. Therefore, the proper channeling of complaints involving instruction, discipline, or learning materials will be as follows:

1. Informal one on one discussion with respondent
2. Immediate Supervisor
3. Principal
5. Governing Board

Any complaint or grievance about school personnel shall always be referred back through proper administrative channels before it is presented to the Governing Board for consideration and action.

When a complaint is made directly to an individual Board member, the procedure outlined below shall be followed:

1. The Governing Board member shall refer the person making the complaint to the Administrator or Regional Principal in writing.
2. If the person will not personally present the complaint to the Supervisor or Principal, the Governing Board member shall then ask that the complaint be written and signed. The Board member may then refer the complaint to the Supervisor or Principal for investigation.
  - a. The grievance claim should be in writing, but it is not required. Notes detailing the allegations and concerns should be taken by the Board member if the employee chooses to not provide a written complaint.
3. The Supervisor or Principal will respond to the written complaint in writing. If the Supervisor is responding the Supervisor will inform the Principal, and the Principal will inform the entire Board of the complaint and the response to the complaint. If the Principal is responding the written complaint in writing the Principal will inform the entire Board of the complaint and the response to the complaint.
4. If, at any time, the person making a complaint feels that a satisfactory reply has not been received from the Supervisor, that person should be advised to submit the complaint or grievance to the Principal.
5. If, at any time, the person making a complaint feels that a satisfactory reply has not been received from the Principal, that person should be advised to submit the complaint or grievance to the Governing Board of Directors for consideration.

6. The Governing Board, at its own discretion, can decide what action the Governing Board deems appropriate and wishes to take.

Every employee who has a concern or complaint, or reasonably suspects that harassment has occurred, including every individual who believes that he or she is a victim of harassment, must immediately report the circumstances to his or her Supervisor or the Principal.

### **Process**

LTA has established the following procedure for lodging a concern, or complaint of harassment, discrimination, or retaliation. Intimidation, harassment, or retaliation against any person filing a grievance, or any person participating in the investigation or resolution of a grievance, is a violation of law, and constitutes the basis for filing a separate grievance. It is the policy of LTA to process all grievances in a fair and expeditious manner. LTA will treat all aspects of the procedure confidentially, to the extent reasonably possible.

1. Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The HR Director, or Board appointed alternative, may assist the complainant in completing a written statement or, in the event an employee, student, or community member refuses to provide information in writing, the HR Director, or Board appointed alternative, will dictate the verbal complaint.
2. Upon receiving a complaint, or being advised by a supervisor that a violation of LTA policy may be occurring, the HR Director will notify the Principal, if appropriate.
3. The HR Director, or Board appointed alternative, will initiate an investigation to determine if there is a reasonable basis for believing that the alleged violation of policy occurred. The HR Director, or Board appointed alternative, may direct the Investigator or an authorized individual to investigate suspected violations of Title IX or Section 504.
4. If necessary, the complainant and the respondent will be separated during the investigation.
5. During the investigation, the HR Director, or Board appointed alternative, will interview the complainant, the respondent, and any witnesses to determine whether the alleged conduct occurred.
6. Upon conclusion of an investigation, the HR Director, or Board appointed alternative, conducting the investigation will submit a written report of his or her findings to the Board. If it is determined that a violation of policy has occurred, the HR Director, or Board appointed alternative, will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:
  - a) the severity, frequency, and pervasiveness of the conduct;
  - b) prior complaints made by the complainant;
  - c) prior complaints made against the respondent; and
  - d) the quality of the evidence (e.g., first hand knowledge, credible corroboration).  
If the investigation is inconclusive or if it is determined that there has been no violation of policy, but potentially problematic conduct may have occurred, the HR Director, or Board appointed alternative, may recommend appropriate preventive action.
7. Once the Board decides what appropriate action will be taken, the HR Director, or

Board appointed alternative, will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

8. If, at any time, the person making a complaint feels that a satisfactory reply has not been received from the HR Director, or Board appointed alternative, the complainant may submit the complaint or grievance to the Governing Board of Directors for consideration.
9. The Governing Board, at its own discretion, can decide what actions it wants to take. This can be a review of the written materials, or the board may open a new investigation, or other possible actions or decisions the Governing Board deems appropriate.
10. If the complainant feels that a satisfactory reply has not been received from the LTA Board, the complainant may appeal the Boards decision to Liberty Tree Academy's authorizer.

Complainants should not assume that LTA is already aware of a particular situation. Complainants also should not assume that it is someone else's duty to report harassment or inappropriate behavior.

It is important to emphasize that employees who believe their supervisor is harassing them are not required to report the issue to that supervisor but may choose to report the information to Human Resources or to any Administrator. If the employee or student believes the grievance and/or harassment stems from the Human Resource Director or the Principal, the employee or student may choose to report the information to the Board of Directors either to an individual Board member directly or collectively to the entire Board.

Approved and adopted January 19, 2023