

POLICY 3043

Redress of Grievances

A. Purpose

1. The purpose of this policy is to provide employees an orderly process for the prompt and equitable resolution of grievances. The Board intends that, whenever feasible, complaints be resolved at the lowest possible administrative level. Both parties in interest agree that these proceedings shall be kept informal and confidential as seems appropriate at each level of the procedure. All parties in interest shall cooperate and act in good faith to resolve the grievance.

B. Redress of Grievances

1. Employees shall have the right, in a peaceable manner that does not interfere with education in the District, to assemble together for their common goals and apply to those vested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance.
2. A person who files a grievance under this policy is a "grievant".
3. A grievance under this policy may include:
 - a. Concerns regarding the grievant's wages, hours, assignment, or conditions of work affecting the grievant;
 - b. Evaluations of Education Support Professionals (ESPs);
 - c. Allegations of inequitable application or misinterpretation of policies and/or law resulting in a negative impact on the grievant;
 - d. Allegations of retaliation or bullying towards the grievant, by either a colleague or supervisor
4. The following complaints, appeals for resolution, or grievances are specifically excluded:
 - a. Complaints regarding corrective action, termination, and other matters pursuant to [Policy 3044 Orderly School Termination for Employees](#) and the Educators' Professional Agreement, which can be addressed in accordance with [Utah Code § 53G-11-513](#).

- b. Specific allegations of unlawful discrimination in employment or education programs on the basis of sex (but not including allegations of sexual harassment), race, religion, national origin, age, disability, sexual orientation, or gender identity or on the basis of the employee's exercise of constitutional rights, which can be addressed in accordance with [Policy 3015 Title IX Sexual Harassment](#).
- c. Educator evaluations, which can be addressed through [Policy 3041 Educator Evaluation](#), or as set out in the statute regarding evaluations. See [Utah Code § 53G-11-507 \(2024\)](#), [Utah Code § 53G-11-508 \(2020\)](#), [Utah Code § 53G-11-520\(12\) \(2024\)](#) (ESP employees may present grievances regarding evaluations under this policy.)

~~C. Evaluations~~

- ~~1. Teachers may present grievances regarding the evaluation process according to the District's evaluation processes outlined in [Policy 3110 Certificated: Educator Evaluation](#) or as set out in the statute regarding evaluations. Those policies and laws shall govern grievances regarding teacher evaluations rather than this policy. Education Support Professional (ESP) employees may present grievances regarding evaluations under this policy.~~

~~[Utah Code § 53G-11-507 \(2024\)](#)
[Utah Code § 53G-11-508 \(2020\)](#)
[Utah Code § 53G-11-520\(12\) \(2024\)](#)~~

D. Right to Representation

- 1. An employee, or where appropriate a group of employees, may present a grievance through another person or organization recognized by the Board ~~regarding any adverse employment action or administrative action decision negatively affecting the employee.~~

E. Freedom from Retaliation

- 1. No retaliatory action shall be taken by the Board or any administrator against an employee or other participant in a grievance proceeding because of participation in the grievance procedure.

~~F. Presentation~~

1. ~~An employee's legal right to present a grievance is satisfied at each level when someone in a position of authority hears the employee's concern; however, that authority is under no legal compulsion to take action to rectify the matter.~~

~~G. Board's Role~~

1. ~~The Board shall provide an opportunity for employees to present their grievances for Board consideration. At the option of the Board, grievances may be reviewed solely at the administrative level by a school principal or the Board may exercise its discretion to hear a grievance at a regular meeting in closed session or at such other times as the Board may determine.~~

~~H. Notice to Employees~~

1. ~~Principals of each school shall be responsible for informing all employees under their supervision of the District's employee grievances policy.~~

~~I. Definitions~~

1. Complaint
 - a. ~~A complaint must specify the individual harm suffered.~~
2. A grievance under this policy shall include:
3. ~~Grievances concerning an employee's wages, hours, or conditions of work or other adverse employment action decisions affecting an employee.~~
4. ~~Specific allegations of unlawful discrimination in employment or education programs on the basis of sex (but not including allegations of sexual harassment), race, religion, national origin, age, disability, sexual orientation, or gender identity or on the basis of the employee's exercise of constitutional rights.~~
5. ~~Alleged violations of State Board rules or of policies adopted by the Board.~~
6. ~~Alleged violations of a constitutional, statutory, or common law right.~~
7. Aggrieved Party
 - a. ~~An aggrieved party is an employee who alleges a violation of a constitutional, statutory, or common law right, or of a State Board rule or local Board policy. An employee who files a grievance is not necessarily an "aggrieved party". Different procedures may apply to "aggrieved parties" than to "complainants". Those distinctions shall be determined on a case-by-case basis.~~

~~J. Presentations and Hearings~~

- ~~1. In most circumstances, complainants shall be entitled to administrative review conferences and an informal presentation of the complaint to the Board at the Board's discretion; however, this provision shall not be construed to create an independent right to a hearing before the Board in addition to hearings required by law. Aggrieved parties whose legal rights have been adversely affected such that they are entitled to some type of due process hearing shall be offered a hearing before the Board or its designee. Upon receipt of the written request for a hearing, the Superintendent shall determine whether an aggrieved party is legally entitled to more than a presentation and, if so, the type of hearing appropriate.~~

~~K. Aggrieved Party~~

- ~~1. An employee aggrieved by a violation of a constitutional, statutory, or common law right, a rule adopted by the State Board of Education, or a policy adopted by the Board shall be afforded a hearing before the Board in accordance with applicable law. However, this provision shall not be construed to create an independent right to a hearing before the Board in addition to any hearing required by law.~~

~~L. Request~~

- ~~1. The aggrieved employee shall make a written request for a hearing, identifying specifically the claimed violation and the relief requested. The written request shall be deemed filed upon receipt by the Superintendent's office. The request shall be filed with the Superintendent's office not more than 15 days after the claimed violation.~~

~~M. Hearing~~

- ~~1. The school principal or designee shall conduct a hearing within 30 days of receipt of a written request. However, the hearing may be postponed by mutual consent. The principal or designee shall notify the aggrieved employee in writing of the time and place of the hearing. The Board shall notify the aggrieved employee of its decision in writing within 15 days after the hearing.~~

~~N. Other Review Processes~~

- ~~1. Employee termination and non-renewal procedures are found in policy series 3000 and such actions are not subject to the procedures set forth in this section. Procedures for complaints regarding sexual harassment (a form of sex discrimination) are set forth in Policy 3007 Employment — Staff Code of Conduct and~~

~~Policy 3015 Title IX Sexual Harassment. Those procedures apply rather than the procedures in this policy.~~

~~O. Representation~~

- ~~1. The employee registering a complaint or any employee who is the subject of a complaint may be represented at his or her own expense by a fellow employee, attorney, other person, or organization. The District may be assisted in processing complaints as it deems appropriate.~~

P. General Provisions

1. The following shall be general provisions for processing grievances
 - a. All grievances shall be submitted in writing and include the following:
 - 1) A description of the basis of the grievance,
 - 2) The date(s) it occurred,
 - 3) The remedy sought
 - b. Grievances shall be heard in informal administrative conferences.
 - c. Time is of the essence. All time limits shall be strictly complied with, except if extended by mutual consent. All references are to calendar days, unless otherwise indicated.
 - d. The appropriate administrator at each level shall respond **in writing** to the employee within ten (10) working days of a grievance conference. ~~Oral grievances may receive an oral or written response, and written grievances shall receive a written response.~~
 - e. The employee has ten (10) working days after a response to appeal **in writing** to the next level. The grievance shall be considered concluded if at any level it is not appealed within the given time limit.
 - f. All grievances arising out of an event or condition or related series of events must be addressed in one grievance. An employee may not bring separate or serial grievances concerning events or conditions about which the employee has previously complained.

Q. Level One

1. ~~Any employee having a grievance~~ If the grievance is at the school or department level, a grievant submits a grievance in writing to ~~shall meet with~~ the principal or immediate supervisor within thirty (30) working days of the time the employee first knew, or should have known, of the event, condition, or series of events upon which the grievance is based.
2. The principal, upon receiving the written grievance, shall schedule a time to meet for a grievance conference with the grievant within five (5) working days.
3. The principal shall respond in writing to the grievance with ten (10) working days.
4. If the grievance is with the principal, the grievant may begin on Level Two.

R. Level Two

1. If the ~~employee~~ grievant is not satisfied with the Level One written response ~~outcome of the grievance conference at Level One~~, the ~~employee~~ grievant may submit a Level Two written grievance to the supervisor of the principal or department head with who the grievance submitted the Level One grievance ("Level Two Supervisor") ~~meet with the Superintendent or a designee to discuss the grievance within ten (10) working days after receiving the response.~~
2. The Level Two grievance must be submitted within ten (10) working days after receiving the response.
3. A Level Two grievance shall include the following:
 - a. The Level One grievance and written response
 - b. An explanation for why the Level One Response is unsatisfactory.
4. Upon receipt of a Level Two grievance, a grievance conference will be scheduled within five (5) working days with the grievant, unless jointly waived in writing by the grievant and the Level Two Supervisor.
5. A written response will be submitted to the grievant by the Level Two Supervisor within ten (10) working days.
6. ~~At or prior to the conference with the Superintendent or designee, the employee shall submit a written description of the basis of the grievance, the date(s) it occurred, the remedy sought, and the date the employee conferred with the principal or immediate supervisor.~~

S. Level Three

1. If the outcome of the grievance conference at Level Two is not to the ~~employee's~~ grievant's satisfaction, the grievant may submit a Level Three written grievance ~~an employee wishing to appeal shall file a written request to the~~ Director of Human Resrces within ten (10) working days after receiving the Level Two response ~~Board of Education. The Board of Education shall hold a hearing with the employee within thirty (30) days after the date the written request for a Board hearing was filed unless postponed by mutual consent.~~
2. A Level Three grievance shall include the following:
 - a. The Level One grievance and written response.
 - b. The Level Two grievance and written response
 - c. An explanation for why the Level Two response is unsatisfactory.
3. Upon receipt of a Level Two grievance, a grievance conference will be scheduled within five (5) working days with the grievant, unless jointly waived in writing by the grievant and the Director of Human Resources.
4. A written response will be submitted to the grievant by the Director of Human Resources within ten (10) working days.
5. ~~An unbiased hearing examiner(s) may be employed to review the grievance and make a recommendation to the Board of Education if both parties agree. The expenses of the hearing examiner(s) shall be borne equally by the Board of Education and the employee. Once the decision of the unbiased hearing examiner(s) is completed, the Board shall provide written notification to the aggrieved employee of its final decision within thirty (30) days after the hearing.~~
6. ~~If the employee doesn't want to involve an unbiased hearing examiner(s), the Board may designate a portion of its regular monthly meeting to hear employee grievances. However, the Board shall not discuss any subject that is not included in the written notice (posted agenda) for the meeting, other than to propose to place it on the agenda for a subsequent meeting.~~
7. ~~The Board President may set reasonable time limits on grievance presentations. The Board shall listen to the grievance but is not required to respond or take any action on the matter unless the grievance is from an aggrieved party.~~

T. ~~Level Four Closed Hearing~~

1. If the outcome of the grievance conference at Level Three is not to the grievant's satisfaction, the grievant may submit a Level Four written grievance to the Superintendent within ten (10) working days after receiving the Level Three response.
2. The Superintendent may address the matter directly or may request someone outside the district ("Outside Grievance Officer") to review and address the matter.
3. A grievant may request an Outside Grievance Officer to review and address the matter, but will be expected to pay 50% of the cost of retaining the Outside Grievance Officer.
4. If the Superintendent decides in his/her sole discretion to retain an Outside Grievance Officer, the District will cover the entire expense of retaining the Outside Grievance Officer.
5. The same process as outlined above will be followed at Level 4, regardless of whether the Superintendent or an Outside Grievance Officer hears and addresses the grievance. ~~If the grievance involves the character, professional competence, or physical or mental health of the employee bringing the grievance, it shall be heard by the Board in a closed meeting, unless the employee requests that it be heard in public. If the grievance involves complaints or charges against another person, it shall be heard by the Board in a closed meeting, unless the person complained about requests that it be heard in public.~~

U. Skipping Levels

1. If the subject of the grievance is any person identified above as the person to whom a grievance must be submitted at any level, a grievant may begin directly with the next level.
2. If the subject of the grievance is the superintendent, (and only in this instance), the grievant may file a grievance with the school board president, who, in consultation with legal counsel, may, in the board president's sole discretion address the matter directly or contract with an Outside Grievance Officer to hear and address the matter.
3. Under exceptional circumstances, and at the sole discretion of the Superintendent, the Superintendent may direct the grievance to begin at a level other than Level One.

V. Complaints Not Prohibited

1. This policy in no way prohibits employees from bringing informal complaints or concerns to a supervisor, and up to the District following an appropriate chain of command, but the District is not obligated to meet with or issue a formal written response outside this grievance process.

~~Utah Code § 52-4-205(1)(a) (2025)~~