

Next Generation Academy (NGA) Grievances and Procedures

GRIEVANCE PROCEDURES FOR PARENTS

A parent grievance is defined as the formal written claim by a Parent or parents of NGA student that there has been a violation, misinterpretation, or misapplication of federal or state law or regulation, or NGA policies.

It is desirable for grievances to be resolved through free and informal communications.

A parent should first attempt to resolve any grievance through discussion with the staff member involved. If a grievance cannot be resolved at this level, the parent may request a grievance conference with the supervisor.

Supervisor is the principal, and the Director is the CEO/Founder.

Step I. Supervisor Conference (Principal)

A parent wishing to invoke the grievance procedure shall make a written request for a conference with supervisor of the staff member. **The parent will complete the NGA Grievance Form.* The request shall describe the grievance and name the specific policy, rule or law believed to have been violated. The following additional guidelines shall be observed in Step I:A.

- A. Grievance shall be filed as soon as possible but not longer than thirty (30) calendar days after disclosure of the facts giving rise to the grievance.
- B. The supervisor shall grant the conference within five (5) work days following receipt of the request. The supervisor will state in writing his/her position on the question to the parent within five (5) work days following the conference.
- C. The supervisor conference should involve the supervisor, the parent, and employee involved unless they all agree to include other participants.

Step II. Appeal to the Director (CEO/Founder)

If the grievance is not resolved at Step I, the parent may appeal the supervisor's decision in writing to the Director, unless the Director is the employee's direct supervisor. In that event, the appeal will go to a member of the Board of Directors. The appeal must be made within five (5) work days following receipt of the supervisor's written response (see guideline B of Step I above). The Director or designee shall review the grievance and conduct an informal hearing within ten (10) work days following receipt of the appeal. A written response shall be made to the parent, supervisor, and employee from the Director or designee within five (5) work days

following the review. The aggrieved party may appeal the Director's decision to the Board of Directors. The appeal must be made within five (5) work days following receipt of the Director's response.

Step III. Appeal to the Board of Directors

A panel of the Board consisting of three (3) members shall hear the grievance. Any appeal to the Board panel shall be on the record unless the panel determines that additional information may be presented. At the appeal hearing, each side normally shall be allotted 30 minutes to present oral argument. The aggrieved party will be informed in writing of the panel's decision within five (5) work days. The Board panel may affirm, disaffirm, or modify the decision of the Director. The Director will develop a grievance form to assist in recording each step of the grievance process. If the Board panel fails to reach a unanimous decision on the grievance, the matter will be reviewed by the full Board for a final decision.

GRIEVANCE PROCEDURES FOR EMPLOYEES

The intent of this policy is to secure, at the lowest possible level, equitable solutions to problems affecting employees. These grievance proceedings shall be kept as informal and confidential as possible at all levels of the procedure.

An employee grievance is defined as the formal written claim by a NGA employee or group of employees that there has been a violation, misinterpretation, or misapplication of federal or state law or regulation, or NGA policies.

It is desirable for grievances to be resolved through free and informal communications.

An employee should first attempt to resolve any grievance through discussion with the employee's supervisor. If a grievance cannot be resolved at this level, the aggrieved employee may request a grievance conference with the supervisor.

Failure of an employee to comply with timelines listed below will result in denial of the grievance or appeal. The Board prohibits retaliation against an employee who files a grievance under this policy. Failure of the school administration to comply with these timelines will result in the automatic right of appeal to the next level.

Step I. Supervisor Conference (Principal)

An employee wishing to invoke the grievance procedure shall make a written request for a conference with the supervisor. The request shall describe the grievance and name the specific policy, rule or law believed to have been violated. The following additional guidelines shall be observed in:

Step I:A.

A. grievance shall be filed as soon as possible but not longer than thirty (30) calendar days after disclosure of the facts giving rise to the grievance.

B. The supervisor shall grant the conference within five (5) work days following receipt of the request. The supervisor will state in writing his/her position on the question to the employee within five (5) work days following the conference.

C. The supervisor conference should involve the supervisor and employee only, unless they both agree to include other participants.

Step II. Appeal to the Director (CEO/Principal)

If the grievance is not resolved at Step I, the employee may appeal the supervisor's decision in writing to the Director, unless the Director is the employee's direct supervisor. In that event, the appeal will go to a member of the Board of Directors. The appeal must be made within five (5) work days following receipt of the supervisor's written response (see guideline B of Step I above). The Director or designee shall review the grievance and conduct an informal hearing within ten (10) work days following receipt of the appeal. A written response shall be made to the employee and supervisor from the Director or designee within five (5) work days following the review. The aggrieved party may appeal the Director's decision to the Board of Directors. The appeal must be made within five (5) work days following receipt of the Director's response.

Step III. Appeal to the Board of Directors.

A panel of the Board consisting of three (3) members shall hear the grievance. Any appeal to the Board panel shall be on the record unless the panel determines that additional information may be presented. At the appeal hearing, each side normally shall be allotted 30 minutes to present oral argument. The aggrieved party will be informed in writing of the panel's decision within five (5) work days. The Board panel may affirm, disaffirm, or modify the decision of the Director. The Director will develop a grievance form to assist in recording each step of the grievance process. If the Board panel fails to reach a unanimous decision on the grievance, the matter will be reviewed by the full Board for a final decision.

GRIEVANCE PROCEDURE TERMINATION FOR CAUSE

All NGA staff and teachers may be terminated “for cause”. The causes for termination are delineated in each employee’s contract. “For cause” termination can occur for instance, when a teacher becomes insubordinate, is convicted of a serious crime, or one of moral turpitude, or experiences unsatisfactory performance reviews. NGA staff teachers accused of a serious crime, but not convicted, will be suspended without pay pending resolution of the matter.

Reinstatement, upon exoneration, is at the discretion of the Board of Directors. NGA staff teachers, in jeopardy of termination, will be reviewed based on their performance reviews and privately signed contract provisions.

Title IX GRIEVANCE PROCESS

Prompt Filing. The Complainant must file a formal complaint within a reasonable time, ideally within 10 days of the alleged incident. A complaint will not be disallowed solely because of the passage of time. The Title IX coordinator (Dawn Moreland) is charged with ensuring that all such complaints are timely, impartially, and appropriately investigated in accordance with applicable law.

Confidentiality. Every effort will be made to ensure the confidentiality of the complainant. There may be times where confidentiality may not be possible for NGA to conduct a thorough investigation. There may also be instances where NGA has a legal obligation to report certain information it receives to state or local authorities or to protect NGA community.

Timeline. While the timeframe for completing an investigation into individual complaints may vary depending on the circumstances, the Title IX coordinator will ensure that timeframes are reasonable and endeavor to complete any investigation, including any decision, within sixty (60) days of the filing of a complaint. The timeline may be extended where appropriate at the discretion of NGA. Include reasonably prompt time frames for conclusion of the grievance process, including appeals and informal resolutions, with allowance for short-term, good cause delays or extensions of the time frames.

Investigation. The school principal (Daryl Florance) will conduct the investigation. The Investigator shall have full authority to investigate, including the authority to interview

witnesses. The Investigator shall follow the guidance/mandates set forth above in this policy in conducting the investigation.

Decision-Maker. The Decision-maker (school principal, Daryl Florance) shall follow the guidance/mandates set forth above in this policy and shall use the preponderance of the evidence standard in reaching her/his decision. The Decision-maker shall timely provide written notice of the outcome of the complaint to the relevant parties.

Appeal. Either party may appeal the Decision-maker's decision to the CEO/Board of Directors within 14 days after a decision is made or NGA dismisses a formal complaint in a Title IX proceeding, on the following bases:

1. Procedural irregularity that affected the outcome of the matter,
2. Newly discovered evidence that could affect the outcome of the matter, and/or
3. Title IX personnel had a conflict of interest or bias, that affected the outcome of the matter.

The CEO/Board of Directors will appoint a panel of three board members to serve as the impartial review panel. The review will be conducted in accordance with all applicable laws and the panel may, but is not required to, request information directly from the parties. The three-member review panel will make a decision and will provide written notice of the outcome of the appeal to the parties within fourteen (14) school days, unless circumstances require more time.