

BURNS SCIENCE AND TECHNOLOGY CHARTER SCHOOL, INC.
GRIEVANCE POLICY AND PROCEDURE
ADOPTED AND EFFECTIVE SEPTEMBER 24, 2024

Purpose, Explanation, and Procedure for initiating a Grievance

It is the policy of Burns Science and Technology Charter School, Inc. (Burns SciTech) that all employees, students, and parents of Burns SciTech have the right to voice their concerns about matters pertaining to Burns SciTech.

Grievance:

A grievance is a complaint or concern regarding being adversely affected by an action or decision that has violated a Burns SciTech policy or a specific law. The procedure for a grievant (person with a grievance) to initiate a grievance against a Burns SciTech Governing Board (Board) member, employee, or student follows below and does not supersede other methods prescribed by law or when there is a more specific Board policy for addressing a concern, such as discipline appeals or upon which the Board is without authority to act.

Who May Initiate a Grievance:

A grievance may be initiated by an employee, student, parent of Burns SciTech.

Definitions:

Employee: A person hired to perform services for Burns SciTech; this does not include independent contractors hired to perform services for Burns SciTech.

Student: A student officially enrolled in the Burns SciTech student information system (FOCUS).

Parent: The legal guardian of a student enrolled at Burns SciTech.

Supervisor: An employee directly responsible for a specific department or activity at Burns SciTech, including but not limited to assistant principals, athletic directors, and deans.

Principal: The administrators of instructional personnel and all other employees, including but not limited to main office, maintenance/custodial, food service, substitute teachers, and after school care. There are two (2) principals/administrators at Burns SciTech: Elementary (K-6th Grade) and Middle/High School (7-12th Grade).

Burns SciTech Governing Board (Board): The Board is the policy-making body for Burns SciTech formed pursuant to Section 1002.33 Florida Statutes. The Board does not make administrative/operational decisions for Burns SciTech.

Who is a Grievance Respondent:

Grievances concerning, but not limited to specific employees, student grades, discipline decisions, harassment, discrimination, inappropriate conduct or employment decisions, should initiated with the appropriate principal (respondent) affected by the grievance: **Elementary Principal** or **Middle/High School Principal**. The only grievances that may be initiated with the Board are those concerning policies, budgets, decisions or other actions approved specifically herein or taken directly by the Board.

NOTE: Nothing herein will prevent any individual from raising a concern during the public comment portion of a publicly noticed meeting of the Board.

Grievance Requirements:

1. All meetings and hearings conducted pursuant to the Grievance Policy are required to be private between the grievant and the respondent. Discussion on any Social Media regarding the procedure or information regarding the grievance, terminates the grievance procedure and the grievant relinquishes the right to a further hearing and/or participation in the procedure.
2. Grievances are generally required to be heard on an individual basis, rather than as a group. If a grievant requests to be heard as a group, the respondent may grant or deny the request at their discretion.
3. A grievance may be voluntarily withdrawn during the procedure. Once a grievance is withdrawn, it cannot be reopened. The grievance shall be terminated if at any time during the grievance procedure, relief is granted and the grievant and the respondent come to an understanding.
4. A student may be represented at the hearing by a non-parent advocate or an attorney – see **Grievance Against a Student** page 4. If the grievant is represented by an attorney who will be present, they are required to notify the respondent 48 hours in advance for the Burns SciTech attorney to be present as well.
5. If the respondent fails to communicate a decision within the time that was specified, the grievant can appeal unless notified in writing of an extension and the reason for the extension, such as the complexity of the investigation or report. Delays that interfere with the application of the grievant's legal rights are not permitted.
6. If the grievant fails to participate in a grievance meeting or hearing required by the Grievance Policy, the grievance will be deemed withdrawn. Failure by the grievant to appeal a decision within the specified time will be considered acceptance of the decision, unless the grievant has notified the respondent of a delay and the reason for the delay and the respondent has consented in writing to the delay.

Informal Grievance vs Formal Grievance:

Informal grievances can sometimes be resolved without a Formal procedure by communicating complaints or concerns with the individual(s) involved when appropriate. If the situation is not resolved, the grievant is encouraged to discuss their concern or complaint promptly and candidly with the immediate Supervisor – see Definitions on page 1.

NOTE: A grievant who has been subjected to documented harassment, discrimination, or similar misconduct is not required to discuss his or her complaint with the alleged harasser or perpetrator in any manner or for any reason prior to initiating a Formal grievance.

The Informal and Formal procedure for initiating and following through a Grievance against an Employee, Student or Principal is explained on the following pages 3, 4, and 5.

Grievance Against a Burns SciTech Employee (Unless Employee Reports Directly to the Board)

Informal Grievance Against a Burns SciTech Employee:

In many cases, concerns can be resolved simply by communicating the concern. Please consider the following before initiating a Formal grievance.

(a) When feasible, a grievant is encouraged to first address the grievance with the other individual(s) involved.

(b) If the situation is still not resolved, a grievant is encouraged to discuss their concern or complaint promptly and candidly with the immediate Supervisor – see Definitions on page 1 before initiating a Formal grievance.

(c) If the grievance is not resolved to the satisfaction of the grievant, please complete the Grievance Form on pages 7-10 and send or give it to the appropriate respondent at the contact information on page 6.

If a grievant has concerns about the need for a Formal grievance they should contact the immediate Supervisor to discuss. If the immediate Supervisor is the subject of the grievance, the respondent should be contacted.

Formal Grievance Against a Burns SciTech Employee:

Within thirty (30) days of encountering harassment, discrimination, similar misconduct or other offending conduct that is the subject of the grievance, a grievant or the grievant's parent (legal guardian) if the grievant is a student under 18 years of age, initiates a grievance with the respondent. Grievants complete the Grievance Form on pages 7-10, obtain the form from the main office, or complete the form online. The Grievance Form shall identify the nature of the complaint, the person(s) involved in the matter, including any witnesses, the date(s) of the occurrence, the location of the occurrence, and any other relevant information. The Grievance Form must be signed and dated by the grievant and sent or given to the respondent at the contact information on page 6.

The respondent shall provide notification to the employee who is the subject of the grievance within 24 hours of receiving the grievance. The respondent must immediately begin an adequate, reliable, impartial investigation of the grievance. Each Formal grievance will be investigated and, depending on the facts involved in each situation, will be decided after receiving information from individuals. Each investigation will include interviewing witnesses, obtaining documentation, and allowing parties to present evidence as applicable.

Within ten (10) business days of receiving the written notification, the employee who is the subject of the grievance may respond (Response) in writing to the grievance. The Response shall specifically address all factual allegations of the grievance.

Within forty (40) days of receiving the grievance the respondent shall summarize the investigation, confirm the validity of the grievance, and determine a suitable resolution. If, as a result of the investigation, it is determined that the grievance was meritorious, appropriate corrective and remedial action will be taken against the employee. Any action taken shall be memorialized in writing and provided in writing to the employee.

Appeals to the Board for Employee Grievance:

The respondent's decision shall be final, except for matters relating to retention of students due to disciplinary action and matters which directly fall under the powers or purview of the Board. Should a matter fall under a category which is under the powers and purview of the Board, an appeal may be filed within ten days (10) of the respondent's final decision.

Grievance Against a Burns SciTech Student

Informal Grievance Against a Burns SciTech Student:

In many cases, concerns can be resolved simply by communicating the concern. Please consider the following before initiating a Formal grievance.

(a) When feasible, a grievant is encouraged to first address the grievance with the other individual(s) involved.

(b) If the situation is still not resolved, a grievant is encouraged to discuss their concern or complaint promptly and candidly with the immediate Supervisor – see Definitions on page 1 before initiating a Formal grievance.

(c) If the grievance is not resolved to the satisfaction of the grievant, please complete the Grievance Form on pages 7-10 and send or give it to the appropriate respondent at the contact information on page 6.

If a grievant has concerns about the need for a Formal grievance they should contact the immediate Supervisor to discuss.

Formal Grievance Against a Burns SciTech Student:

Within thirty (30) days of encountering harassment, discrimination, similar misconduct or other offending conduct that is the subject of the grievance, a grievant or the grievant's parent (legal guardian) if the grievant is a student under 18 years of age, initiates a grievance with the respondent. Grievants complete the Grievance Form on pages 7-10, obtain the form from the main office, or complete the form online. The Grievance Form shall identify the nature of the complaint, the person(s) involved in the matter, including any witnesses, the date(s) of the occurrence, the location of the occurrence, and any other relevant information. The Grievance Form must be signed and dated by the grievant and sent or given to the respondent at the contact information on page 6.

The respondent shall provide notification to the parent (legal guardian) of the student who is the subject of the grievance within 24 hours of receiving the grievance. The respondent must immediately begin an adequate, reliable, impartial investigation of the grievance. Each Formal grievance will be investigated and, depending on the facts involved in each situation, will be decided after receiving information from individuals. Each investigation will include interviewing witnesses, obtaining documentation, and allowing parties to present evidence as applicable.

Within ten (10) business days of receiving the written notification, the student or parent (legal guardian) of the student who is the subject of the grievance may respond (Response) in writing to the grievance. The Response shall specifically address all factual allegations of the grievance.

Within thirty (40) days of receiving the grievance the respondent shall summarize the investigation, confirm the validity of the grievance, and determine a suitable resolution. If, as a result of the investigation, it is determined that the grievance was meritorious, the student will be disciplined in accordance with the Burns SciTech Code of Student Conduct. Any action taken shall be memorialized in writing, provided in writing to the student and the student's parent (legal guardian), and a copy sent to the Grievance Board Member.

Appeals to the Board for Student Grievance:

The respondent's decision in student grievances is final except in cases of a student's dismissal from Burns SciTech. Please refer to the Student Dismissal Policy.

Grievance Against a Burns SciTech Principal

Informal Grievance a Burns SciTech Principal:

In many cases, concerns can be resolved simply by communicating the concern. Please consider the following before initiating a Formal grievance.

(a) When feasible, a grievant is encouraged to first address the grievance with the principal in question in an attempt to resolve the situation. The grievant may request the principal who is not in question to mediate the meeting with the principal in question. The mediating principal is solely attending as a mediator and does not have overriding authority in the grievance.

(b) If the grievance is still not resolved to the satisfaction of the grievant, please complete the Grievance Form on pages 7-10 and send or give it to the Grievance Board Member at the contact information on page 6.

(c) We recognize a grievance against a principal is different than a grievance against an employee or a student. *A grievant who has been subjected to harassment, discrimination, similar misconduct or other offending conduct by a principal is not required to discuss his or her complaint with the alleged harasser or perpetrator in any manner or for any reason prior to initiating a Formal grievance. In these circumstances, the Grievance Form on pages 7-10 should be completed and sent or given to the Grievance Board Member.*

Formal Grievance Against a Burns SciTech Principal:

Within thirty (30) days of encountering the harassment, discrimination, similar misconduct or other offending conduct that is the subject of the grievance, the grievant or if the grievant is a student, the grievant's parent (legal guardian) of a student under 18 years of age shall initiate a grievance with the Grievance Board Member. Grievants complete the Grievance Form on pages 7-10, obtain the form from the main office, or complete the form online. The Grievance Form shall identify the nature of the complaint, the person(s) involved in the matter, including any witnesses, the date(s) of the occurrence, the location of the occurrence, and any other relevant information. The Grievance Form must be signed and dated by the grievant and given or sent to the Grievance Board Member at the contact information on page 6.

The Grievance Board Member shall provide notification to the principal who is the subject of the grievance and must immediately begin an adequate, reliable, impartial investigation of the grievance. Each Formal grievance will be investigated and, depending on the facts involved in each situation, will be decided after receiving information from individuals. Each investigation will include interviewing witnesses, obtaining documentation, and allowing parties to present evidence as applicable.

Within ten (10) business days of receiving the written notification, the principal, who is the subject of the grievance may respond (Response) in writing to the grievance. The Response shall specifically address all factual allegations of the grievance.

Within forty (40) days of receiving the grievance, the Grievance Board Member shall summarize the investigation, determine the validity of the grievance, and determine a suitable resolution. If, as a result of the investigation, it is determined that the grievance was meritorious, appropriate corrective and remedial action will be taken against the principal. Any action taken shall be memorialized in writing and provided in writing to the principal.

Appeals to the Board for Principal Grievance:

If the Grievance Board Member has not reached a successful resolution, a written request for an appeal may be made to the Board's assigned parent liaison within five (5) days after a non-resolution letter is received by the Board. The Board Chairman will add the request for appeal to the agenda of the next regularly scheduled board meeting. If the appeal is urgent, the Chairman can call an emergency meeting of the Board per the Bylaws.

Prohibition Against Retaliation:

Burns SciTech pledges that it will not retaliate against any person who initiates a grievance in accordance with the Grievance Policy or any person who participates in proceedings related to this policy. In addition, Burns SciTech will not tolerate any form of retaliation against any person who makes a good faith report or complaint or concern about perceived acts of harassment, discrimination, similar misconduct or other offending conduct or who cooperates in a grievance investigation. Any person who is found to be engaging in any kind of retaliation will be subject to appropriate disciplinary action.

Respondent Contact Information

Elementary Principal: Alexis Galerno

160 Ridge Rd.

Oak Hill, Florida 32759

galernoa@burnsscitech.org

Middle/High Principal: Daniel Hargrave

160 Ridge Rd.

Oak Hill, Florida 32759

hargraved@burnsscitech.org

**BURNS SCIENCE AND TECHNOLOGY CHARTER SCHOOL, INC.
GRIEVANCE FORM**

To report an incident, concern, complaint, harassment, discrimination or retaliation or if you believe you have been adversely affected by an action or decision in violation of a Burns SciTech policy or a specific law, please complete the appropriate sections of the Grievance Form and submit the form within thirty (30) calendar days of learning of the grievous incident to appropriate person by facsimile, mail, or email – page 6.

Copies of the *Non-Discrimination and Anti-Harassment Policy* and the *Grievance Policy and Procedure* may be obtained from a principal, the main office, and online. Review the *Grievance Policy and Procedure* to ensure that you are familiar with all sections before completing and submitting. All Burns SciTech policies are subject to revision. Keep a copy of the completed form for your records. No one may be retaliated against for initiating a grievance or for supporting a discrimination or harassment allegation – see Prohibition of Retaliation on page 6.

I. WHO IS FILING THIS GRIEVANCE?

(A) Full Name: _____

(B) Address: _____

(C) Phone Number: _____ (alternate number) _____

(D) Are you the parent or legal guardian of a student alleging a complaint or grievance?

YES or NO (circle one)

If you answered "yes" to the above question, complete sections (1)-(3) below:

(1) Student Name: _____

(2) Address: _____

(3) Phone number: _____ : _____ (alternate number)

II. THIS GRIEVANCE ALLEGES:

Please check as many boxes as apply to this Grievance.

(A) Discrimination or Harassment Based on: ☐Race ☐Color ☐Religion ☐Creed ☐Sex (including gender, pregnancy, sexual orientation) ☐National Origin ☐Age ☐Disability ☐Veteran Status

(B) Retaliation Related to Discrimination or Harassment Complaint Based on: ☐Race ☐Color ☐Religion ☐Creed ☐Sex (including gender, pregnancy, sexual orientation) ☐National Origin ☐Age ☐Disability ☐Veteran Status

(C) Manner of Alleged Discrimination, Harassment and/or Retaliation: ☐Physical ☐Verbal ☐Visual ☐Unwelcomed Romantic or Sexual Attention ☐Discriminatory Assignments ☐Discriminatory Discipline ☐Other: _____

(D) Other Concern or Complaint:

III. PROVIDE DETAILS OF THE GRIEVANCE

(A) Date(s) of Grievance:

(B) Location(s) of Incident:

(C) Identify the accused, witnesses, and those to contact during an investigation. For each individual listed below, include, to the extent of your knowledge, the information requested below.

1. Who Committed the Grievance?

Full Name: _____

Job Title: _____

Supervisor: _____

Address: _____

Phone Number: _____

Fax Number: _____

Other Contact Information: _____

2. Who Witnessed the Grievance (if anyone)?

Full Name: _____

Address: _____

Phone Number: _____

Fax Number: _____

Other Contact Information: _____

Full Name: _____

Address: _____

Phone Number: _____

Fax Number: _____

Other Contact Information: _____

If you are aware of other witnesses, please attach additional pages.

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IV. PLEASE SIGN AND DATE

_____ Date _____

V. SUBMISSION OF THIS GRIEVANCE

Please immediately send this completed form to the appropriate person by facsimile, mail, or email. (See page 6 for contact information.)

BURNS SCIENCE AND TECHNOLOGY CHARTER SCHOOL, INC.
GRIEVANCE POLICY AND PROCEDURE
Board Certificate

I hereby certify that the foregoing *Grievance Policy and Procedure* was adopted by a majority vote of a quorum of the Burns SciTech Governing Board at a duly noticed meeting held on March [], 2024. This Grievance Policy is intended to supersede and replace any prior policies relating to the same subject matter.

Board Chairman

Date