

## STAFF COMPLAINTS AND GRIEVANCES

### A) Eligibility to Appeal

Any employee not covered by a negotiated contract has the right to appeal an adverse action taken against him in the manner described below.

### B) Definitions

- 1) An "adverse action" is an action which results in:
  - a) a suspension of an employee from his/her job;
  - b) a discharge from employment
- 2) An "appeal" is a written request by an employee for reconsideration of an adverse action.
- 3) An "appellant" is an employee who is appealing an adverse action taken against him/her.

### C) Notice of proposed Adverse Action

- 1) The letter of proposed adverse action must state specifically, and in detail, the reasons for the action, thereby affording the employee a fair opportunity of offering refutation of the charges.
- 2) Such letter shall include a statement that the proposed adverse action will be taken no sooner than 35 calendar days from the issuance of the letter.
- 3) Such letter shall also include a statement notifying the employee that an appeal to the superintendent of schools must be filed within five days after receipt of the letter.

### D) Appeal Procedure

- 1) Decision of the superintendent shall be rendered within 10 days, in writing, to the appellant. If decision is adverse, the appellant shall have five days from receipt of the decision to appeal to the board.
- 2) The board shall render its decision within 15 days. The board shall hear all parties concerned and allow all witnesses to be heard, and the appellant may be represented by any representative of his/her choosing.
- 3) The decision of the Board of Education will be final.

Adopted: 1/28/71

Department of Public Schools, Augusta, Maine