Kimberly School District
COMMUNITY RELATIONS 4310P
Uniform Grievance Procedure

All individuals should use this grievance procedure if they believe that the Board, its employees or agents have violated their rights guaranteed by the 1) State or Federal constitution; 2) State or Federal statute or; 3) Kimberly School Board policy.

The District will endeavor to respond to and resolve complaints promptly without resorting to this grievance procedure. If a complaint is filed, it will be addressed promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies.

Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

Level 1: Informal

An individual with a complaint is encouraged to first discuss it with the teacher, counselor, and/or administrator involved, with the objective of resolving the matter promptly and informally. An exception is complaints of sexual harassment should be discussed with the first line administrator not involved in the alleged harassment. Every effort will be made to resolve the grievance at this level.

Level 2: Principal

If the complaint is not resolved at Level 1, the grievant may file a written grievance stating the: 1) nature of the grievance; and 2) remedy being requested. It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the principal within thirty (30) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the policy or procedure must be cited. The principal shall investigate and attempt to resolve the complaint. If either party is not satisfied with the principal's decision, the grievance may be advanced to Level 3 by requesting, in writing, that the Superintendent review the principal's decision. This request must be submitted to the Superintendent within fifteen (15) days of the principal's decision. If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the principal shall immediately turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint.

The District will appoint Nondiscrimination Coordinator(s) to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Superintendent within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Superintendent agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Superintendent rejects the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within fifteen (15) days of receiving the report of the Coordinator to the Board for a hearing.

Level 3: Superintendent

Upon receipt of the request for review, the Superintendent shall schedule a meeting between the parties and the principal. The parties shall be afforded the opportunity to either dispute or concur with the principal's report. The Superintendent shall decide the matter within ten (10) days of the meeting and shall notify the parties in writing of the decision. If the Superintendent agrees with the recommendation of the principal, the recommendation will be implemented. If the Superintendent rejects the recommendation of the principal, the matter may either be referred to an outside investigator if not already implemented) for further review or resolved by the Superintendent. If either party is not satisfied with the decision of the Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within fifteen (15) days of receiving the Superintendent's written decision. The Board is the policy-making body of the school, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure by the district or its agents to follow Board policy. The specific Board Policy must be attached to the written request to the board.

Level 4: The Board

Upon receipt of a written appeal of the decision of the Superintendent, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final.

Matters Involving Personnel Issues

Grievances that concern personnel or performance issues, or where the requested outcome involves employee discipline, probation, or termination, shall conclude at Level 3. Such matters are subject to the district's personnel procedures, and only the Superintendent may recommend probation or termination to the Board in accordance with Idaho Code § 33-513. The Board's role is limited to hearing cases involving probation or termination upon recommendation of the Superintendent.

In addition, pursuant to Idaho Code § 74-106(1), personnel records, evaluations, and disciplinary actions are confidential and will not be discussed with the complainant beyond what is legally permissible.

Revised: November 20, 2025