

Pataula Charter Academy Parent and Student Grievances Policy

Purpose: The purpose of this policy is to provide guidelines for parents and students for filing grievances against the school or employee of the school on any and all matters including complaints concerning Federal Programs: Title I, Part A; Title I, Part C; Title I, Part D; Title II, Part A; Title III, Part A; Title VI, Part B; the McKinney-Vento Act; School Improvement 1003(a) and 1003(g) (SIG).

Policy Statement: Students and parents have the right and responsibility to express school related concerns and grievances to the faculty and administration. Students and parents shall be assured the opportunity for an orderly presentation and timely review of concerns which will not interfere with regular scheduled classes or school related activities. The intent of this policy is to secure, at the lowest possible administrative level, equitable solutions to complaints that may arise. The Board shall have the discretion to elevate a grievance directly to Level III, if appropriate or necessary.

Definitions

Grievance – A complaint from a parent or student which sets forth the allegation that there has been a violation of any policy, accepted practices, or state or federal law, including:

- Summary of Facts
- Identification of parties and witnesses
- Specific identification of the policy, practice, or statute violated.
- Statement of requested relief

Grievant – Any individual or group of individuals aggrieved by a decision or condition falling under policy, accepted practices, or state or federal law.

Procedures:

Level 1

Any individual alleging a grievance is encouraged to resolve the problem, if possible, through an informal discussion with the person or persons suspected of violation, beginning at the earliest level of organizational structure. For example, parents and guardians should discuss classroom concerns first with classroom teachers. When school officials hear complaints or receive formal grievances, they should first make sure that grievants or potential grievants have first attempted in good faith to resolve problems with directly involved persons. Upon receipt of an informal complaint, the principal or immediate supervisor shall initiate action to resolve the issue within five (5) working days. The grievance should first be presented at the lowest level of authority as follows:

- Classroom related concerns – to the Teacher
- Extra-curricular related concerns – to the Sponsor/Coach
- All other School related concerns – to the Principal

Level 2

If the response in Level I does not resolve the problem, the grievant may, within ten (10) working days after the informal complaint decision has been rendered, file the complaint in writing with the Principal to initiate Level II. The Principal shall investigate the complaint with the parties concerned in the grievance within fifteen (15) working days of the grievance filing date. The Principal shall decide who will conduct the investigation based on the nature of the complaint and the individuals involved.

Within five (5) working days of completing the investigation, the Principal shall render a decision and issue a written report setting forth the Principal's findings and recommendations for the resolution of the grievance.

If no written report is issued within the time limits set forth (a total of 20 days from time written complaint is filed), or if the grievant rejects the recommendations of the Principal, the grievant shall have the right to appeal to the Board for review of the grievance.

Level 3

A written request for the Board's review of the grievance must be submitted to the Board Chair within ten (10) days of the date of the Principal's report or the expiration of the time limits set forth in Level II. The request shall include the nature of the complaint and the requested outcome.

The Board shall review the grievance and the report of the investigation applying the clear/convincing evidence standard, and may hold a hearing. If a hearing is held, the grievant may be accompanied by a representative of the grievant's choice. If the grievant chooses to bring legal counsel to the hearing, the Board Chair must be notified at least 48 hours, so the Board's legal counsel can be present as well.

The Board may affirm the Principal's recommendations, amend the recommendations, or affirm the recommendations in part and amend in part.

The Board's written decision shall be issued within 30 working days of receipt of the grievant's written appeal by the board secretary.

If no written decision is issued within the time limit set forth or if the grievant shall reject the decision of the Board, the grievant shall be free to pursue such statutory or administrative remedies as the law may provide.

Responses to a Grievance:

1. The faculty and administration shall make an honest and forthright effort to resolve complaints or grievances as quickly as possible at the most immediate level of authority.
2. Decisions rendered by the Governing Board shall be considered final.

Decorum for Presenting a Grievance:

1. Communication MUST be respectful and in a conversational tone at all times.
2. Presenters are cautioned that personally directed statements may be slanderous or defaming, and the individual speaker is liable for his/her statements.
3. Any teacher, staff member, or administrator shall have the authority to table any meeting considered to be unproductive, threatening, hostile, inappropriate, or lacking appropriate representation.

Miscellaneous Provisions

The only appeal requests that the Governing Board will accept are for (1) disciplinary actions resulting in removal from school over 9 days or (2) Special Education placement disputes. Therefore, any other matter coming before the Board will be treated as a Level III grievance. *The Governing Board does not accept request for appealing a promotion/retention decision.

Any complaint or grievance should be reported immediately after the event in concern. Investigations into alleged wrong-doing need to be completed as soon as possible. Investigations completed after an extended period of time are more difficult and may lose validity. Therefore, the Superintendent and/or Governing Board reserve the right to refuse response to any grievances submitted more than thirty (30) days after the incident absent exigent circumstances.

If either party in a grievance wishes to change the timeline set forth in this policy, the party will request the modification(s) from the other party and both parties will be required to agree to the modification(s).

No person shall suffer recrimination or discrimination because of participation in this grievance procedure. Confidentiality will be observed pending resolution of the grievance.

Amended: 7/13/2015

Amended: 3/20/2017

Amended: 7/30/2018 (reviewed by Rob Fortson, Board Attorney)