STUDENT AND PARENT GRIEVANCES

A student, parent, or guardian may initiate the grievance procedure to appeal any final decision of school personnel within the school system, except as provided in section 1 below. Grievances that involve an alleged violation of board policy or state or federal law or regulation by a final administrative decision may be appealed to the Cleveland County Board of Education. All other grievances may be appealed to the superintendent or designee but are appealable to the board only in its discretion as outlined below.

1. This policy does not apply in the case of long-term suspension or expulsion where the provisions of the Due Process Policy apply or in the case of alleged sexual harassment where the provisions of the Sexual Harassment Policy apply.

2. **Step I B Principal Conference** B A student, parent, or guardian wishing to invoke the grievance procedure shall make a written request for a conference with the principal to discuss the grievance and seek resolution. The request shall state in detail the basis for the grievance, name the specific policy, rule or law believed to have been violated, and specify the relief being sought. The following additional guidelines shall be observed in Step I.

A. No grievance will be heard unless it has been filed in writing within thirty (30) calendar days after the act or condition giving rise to the grievance and states with particularity the basis for the grievance, the policy, regulation and procedure, rule or law believed to have been violated, and the remedy being sought.

B. The principal shall grant the conference within five (5) school days following receipt of the request. The principal will state in writing his/her position on the question to the student or parent within five (5) school days following the conference.

C. Only the parent, guardian, or someone acting in *loco parentis* shall be permitted to join or represent the student in the conference with the principal.

3. **Step II B Appeal to Superintendent** B If the grievance is not resolved at Step I, the student, parent, or guardian may appeal the principal's decision in writing to the superintendent. The appeal must be made within five (5) school days following receipt of the principal's written response in AB@ of Step I. The superintendent or designee shall review the grievance within five (5) school days following receipt of the appeal. If the superintendent or designee determines that additional time is needed to develop the factual record, the grievance may be put on hold for fifteen (15) additional days (or longer if by mutual agreement) to allow time for investigation. A written response shall be made to the student, parent, guardian, and principal from the superintendent or designee within ten (10) school days following the review.

4. **Step III B Appeal to Board of Education** B If the grievance is not resolved at Step II, and it involves an alleged violation of state or local board policy or state or federal law or state rule by a final administrative decision, it may be appealed in writing to the Cleveland County Board of Education. This written appeal must be made within ten (10) school days following the written response from the superintendent at Step II. The board's consideration of these appeals will take place in closed session and will be limited to the written record unless the board determines that additional information is necessary. The board may affirm, reverse, or modify the decision of the superintendent. The Level Two decision will be reversed if the board determines that there has been a material violation of board policy or state or federal law or regulation, or that the decision is unsupported by substantial evidence in view of the entire record as submitted. The board shall offer a

final written decision within thirty (30) days.

5. A grievant who is not entitled to appeal to the board may seek discretionary review by the board by submitting a written appeal to the superintendent's office within ten (10) school days following the written response from the superintendent at Step II. The chair and vice-chair of the board shall review the request and notify the grievant within ten (10) school days from receipt of the request whether the board will consider the grievance. If the chair and vice-chair do not agree on whether to grant the request, a board hearing will be allowed. The procedures outlined in section 4 above will be followed in any discretionary review granted under this section.

6. The superintendent shall disseminate this policy to students at the beginning of each school year.

7. If the school administration fails to comply with the time periods or other procedures outlined in this policy, the grievant may advance the grievance to the next level. If the grievant fails to comply with the time periods or other procedures outlined in this policy, the grievant waives any further rights of appeal and the grievance will be considered resolved.

8. The grievance may be voluntarily withdrawn at any level. Once a grievance is withdrawn it cannot be re-opened. If at any time during the grievance process the school system grants the grievant the relief requested, the grievance shall be terminated at that time.

LEGAL REF: Title IX of the Education Amendments of 1972; G.S. 115C-45(c)

ADOPTED: September 26, 2005