

STDNT9.6 - Student Rights and Responsibilities: Student and Parent Complaints/Grievances

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STUDENT AND PARENT COMPLAINTS/GRIEVANCES

LOCAL

A student who complains or grieves regarding constitutional rights, equal access to programs, discrimination, or personal safety issues may complain directly to a school administrator or to a school staff member within thirty (30) days of an alleged occurrence. The initial complaint or grievance should be made in writing using the prescribed form. When a school staff member receives the information, the staff member will immediately inform a school administrator. If the complaint or grievance involves a school administrator, the staff member shall forward the complaint or grievance to the next administrative level.

A student or parent may initiate the formal process described below by timely filing a written complaint form. The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

LEVEL ONE

Complaint forms must be submitted:

1. Within 15 days from when the student or parent first became aware or reasonably should have become aware, of the decision or action giving rise to the complaint or grievance; and
2. To the appropriate administrator at the lowest level who has the authority to address the alleged issue.

Typically, Level One complaints should be directed to the campus principal.

If the only administrator empowered to address the issue is the Superintendent or their designee, the complaint may proceed to Level Two, following the procedures and deadlines specified for Level One.

If a complaint is not initially filed with the correct administrator, the receiving administrator must record the date and time of receipt and promptly forward the complaint to the appropriate administrator.

The designated administrator will investigate as needed and arrange a meeting with the student or parent within ten days of receiving the written complaint. Reasonable time limits for the meeting may be set by the administrator.

Except under exceptional circumstances, the administrator will issue a written response to the student or parent within ten days following the meeting. In deciding, the administrator may consider information presented during the Level One meeting and any other pertinent documents or information believed to assist in resolving the complaint.

LEVEL TWO

If the relief sought was not granted at Level One, or if the response time has elapsed, the student or parent may request a meeting with the Superintendent or designee to appeal the Level One decision.

The appeal must be submitted in writing on a form provided by the District within ten days of receiving the written response from Level One or, if no response was received, within ten days of the Level One response deadline.

Upon receipt of the appeal notice, the Level One administrator will compile and transfer a record of the Level One complaint to the Level Two administrator. The student or parent may request a copy of the Level One record.

The Level One record will include:

1. The original complaint form and any attachments.
2. All other documents submitted by the student or parent at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents considered by the Level One administrator in reaching their decision.

The Superintendent or designee will schedule a meeting within ten days of receiving the appeal notice. The meeting will focus on the issues and documents reviewed at Level One. During the meeting, the student or parent may present information pertaining to any documents or information relied upon by the administration in making the Level One decision. Reasonable time limits for the meeting may be set by the Superintendent or designee.

The Superintendent or designee will provide a written response to the student or parent within ten days following the meeting. In deciding, the Superintendent or designee may consider the Level One record, information presented during the Level Two meeting, and any other pertinent documents or information believed to assist in resolving the complaint.

If conducted, the recordings of the Level One and Level Two meetings will be retained with the Level One and Level Two records.

LEVEL THREE

If the relief sought was not granted at Level Two, or if the response time has elapsed, the student or parent may appeal the decision to the Board.

The appeal must be submitted in writing on a form provided by the District within ten days of receiving the written response from Level Two or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee will inform the student or parent of the date, time, and location of the Board meeting at which the complaint will be addressed.

The Superintendent or designee will provide the Board with the record of the Level Two appeal. The student or parent may request a copy of the Level Two record.

The Level Two record will include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents considered by the administration in making the Level Two decision.

The appeal will be confined to the issues and documents reviewed at Level Two, except that if the administration intends to rely on evidence not included in the Level Two record at the Level Three hearing, notice of the nature of such evidence will be provided to the student or parent at least three days prior to the hearing.

The District will determine whether the complaint will be addressed in an open or closed meeting, in accordance with the Arizona Open Meetings Act and other applicable laws.

The presiding officer may establish reasonable time limits and guidelines for the presentation, which will include opportunities for both the student or parent and the administration to make presentations, provide rebuttals, and respond to questions from the Board. The Board will hear the complaint and may request explanations from the administration regarding decisions made at prior levels.

In addition to any other record required by law, the Board will create a separate record of the Level Three hearing. This record will include presentations by the student or parent, or their representative, as well as any presentations by the administration and questions posed by the Board with corresponding responses. The proceedings of the Level Three hearing will be recorded via audio recording, video/audio recording, or by a court reporter.

The Board will subsequently deliberate on the complaint. Notice of their decision may be provided orally or in writing until the conclusion of the next regularly scheduled Board meeting. If the Board fails to reach a decision by the end of this meeting period, the administrative decision reached at Level Two will be affirmed.