

100% Student Success

SECTION

VIII

Policies 5500.09, 5500.10, 5500.12 and 5500.13

Appeals/Grievance Process

APPEALS (POLICY 5500.09)

Appeal of Bus Suspension

A student's parent may appeal a bus suspension by calling the school principal or assistant principal. The parent must come to the school and have a conference with a school administrator and a representative from the transportation department as part of the appeal. The student may be permitted to ride a bus pending the outcome of their bus suspension appeal as long as they behave. If expulsion has been recommended, a student cannot ride a bus until the Board rules on their expulsion.

If a student engages in violent or very unsafe behavior while riding the bus, the school shall additionally suspend their bus riding privileges until the school can hold a conference with the student's parent. The school will then determine whether to take additional disciplinary steps, including bus expulsion, and whether to impose further rules for the student's return to bus riding.

Appeal of Disciplinary Reassignments/Expulsions (Policy 5500.10)

- Q. Can a student appeal their reassignment to an alternative school?
- A. No, a student can only appeal the out-of-school suspension. If the suspension is removed, the reassignment will not occur.

- Q. How does a student appeal a suspension linked to a reassignment/expulsion?
- A. Within five (5) school days of being suspended, the student or their parent writes a letter to the principal explaining why the student thinks they should not be suspended. The student's parents may prefer to have the appeal with the principal by telephone. The principal will write to the student's parents within five (5) school days to tell them whether the student's suspension is being upheld.

If the principal upholds a student's suspension, the student or their parents may write a letter to the Area Superintendent/Chief appealing the suspension within five (5) school days of receiving the principal's decision. The Area Superintendent/Chief will review the facts of the case and determine whether the student was given due process. The Area Superintendent/Chief will not reinvestigate the incident. The student cannot appeal the Area Superintendent's/Chief's decision.

Appeal of Out of School Suspension (Policy 5500.12)

In General

The appeal process for a suspension begins at the school level with the school principal. Below are questions and answers to assist with the process.

- Q. How can a student appeal a suspension?
- A. If the student's parents want to appeal the suspension, they should notify the principal in writing within five (5) school days of the out-of-school suspension. When the principal receives the notice from the student's parents that they wish to appeal, they will offer to arrange a conference with the student's parents. The student's parents may prefer to discuss their appeal with the principal by telephone. If the student's parents do not notify the principal in writing before the end of the student's suspension that they want to appeal, the suspension is final.
- Q. What happens at the conference?
- A. The student's parents (and the student if they are present) will discuss with the principal what has occurred. The principal will go over the incident that led to the suspension and review the evidence supporting the suspension. The principal also will review the process that was followed leading up to the decision to suspend the student. This will include a review of how the student was told about the accusations and the evidence against the student and how the student was allowed an opportunity to tell their side of the story.

student must tell the principal exactly what was not done that the student believes should have been done. For example, if the assistant principal did not give the student something in writing that told the student what they were accused of doing, the student must tell the principal that at this conference or the student cannot later complain about not being advised in writing of the accusations against the student.

If the principal agrees with the student's parents that one (1) or more requirements for suspending the student were overlooked, the principal can then comply with those requirements at the conference or can start the suspension process from the beginning and go through it again.

If there are witnesses who had not been interviewed prior to the suspension, whom the student thinks may have information about the incident, then the student should inform the principal of the names of those witnesses at this conference. The principal may decide to interview those witnesses before making their final decision or the principal may believe that they have enough information already to make a final decision.

- Q. When will the principal decide the appeal?
- A. The principal will provide the student and their parents a written decision within five (5) school days of the conference.

If the student or their parents believe that the school did not follow all of the requirements for suspending the student, the

- Q. Is the student suspended during the appeal?
- A. The student will continue to serve the suspension until a final decision is made after all appeals.
- Q. What if the suspension was not appropriate?
- A. Any record of the suspension will be taken out of the student's records and the student will be given the opportunity to make up all schoolwork that they missed, without penalty.
- Q. Can the student appeal the principal's decision?
- A. The student may appeal the principal's decision to the Area Superintendent/Chief or a person designated by the Area Superintendent/Chief. To appeal to the Area Superintendent/Chief the student must notify them in writing within five (5) school days of the date of the principal's final decision.

- Q. What will be reviewed on this appeal?
- A. This appeal only concerns whether or not the proper procedures were followed in making the final decision to suspend the student. There will be no further investigation or interviews with witnesses about the incident, although the facts of the case will be reviewed.

If the proper procedures were not followed, then the suspension will be sent back to the principal to follow the proper procedures and decide on whether or not to suspend the student. If, after following the proper procedures, the principal decides that the student should not be suspended, any record of the suspension will be taken out of the student's records and they will be given the opportunity to make up all schoolwork that they missed, without penalty.

GRIEVANCE PROCEDURES (POLICY 5500.13)

In General

If parents or students have a problem with a teacher or an administrator, or disagrees with their decision on some matter other than suspensions or expulsions, they are encouraged to attempt to solve the problem or disagreement directly with the teacher or administrator. Decisions involving suspensions or expulsions are governed by the discipline procedures in the Code of Student Conduct. This policy does not apply to complaints of discrimination or harassment on the basis of the student's age, sex, race, color, national origin, ethnicity, religion, disability, sexual orientation, marital status, or other characteristics protected by federal or state law or Board policy. Such complaints are governed by Policy 5517.

What a Student Needs to Do Q&A

- Q. What should the student do first when a problem arises?
- A. The student should first talk courteously to the teacher or administrator to attempt to solve the problem. This should be done outside of regular class time.
- Q. What if the student is not satisfied after talking to the teacher or administrator?
- A. If the student does not believe the problem has been solved after talking with the teacher or assistant principal, the student should describe the problem in writing and give it to the principal within five (5) school days of when the problem occurred. Complaints related to discrimination or harassment must be submitted within sixty (60) days of the problem occurring.
- Q. What will the principal do?
- A. The principal will investigate the student's problem and give the student a written decision on how they will resolve the problem. That written decision will be provided to the student within five (5) school days from the day the student gave the written description of the problem to the principal.
- Q. Can the student appeal the principal's decision?
- A. If a student is not satisfied with the way that the principal has resolved the problem, the student may request in writing that the Area Superintendent's/Chief's office or their designee, review the decision of the principal and make a final decision in the matter. The Area Superintendent's/Chief's office will give the student the final decision within five (5) school days from the date that the office received the student's written request to review the matter. There is no appeal from the final decision of the Area Superintendent's/Chief's office.
- Q. What if the student's problem was originally with the principal?
- A. If the student's problem originally was with the principal and the student does not believe the problem was solved after talking with the principal; the student should describe the problem in writing and give it to the Area Superintendent's/Chief's office within five (5) school days of when the problem occurred. Complaints related to discrimination or harassment must be submitted within sixty (60) days of the problem occurring. The matter will be reviewed by the Area Superintendent's/Chief's office and they will provide the student with a final written decision within five (5) school days from the date that the student gave them the written description of the problem. There is no appeal from the final decision of the Area Superintendent's/Chief's office.