

STUDENTS

Appeals and Appeals Procedures - Non-Disciplinary Actions

A. Generally

1. An appeal is a formal written request for reconsideration of an action affecting a student, which is imposed by a teacher, administrator, or other school official. For the purpose of this Regulation, appeals shall be limited to non-disciplinary actions not covered by another regulation.
2. A student or the parent/legal guardian of a minor student subject to the non-disciplinary action has the right to initiate an appeal. However, prior to initiating a formal appeal, a prompt effort should be made to resolve the issue with the teacher, administrator, or other school official who initiated the action. Then, if not satisfied with the decision an appeal may be initiated in accordance with the procedures established in paragraph B below.
- ~~3. Appeals of in-school disciplinary actions and out-of-school suspension of ten (10) days or less shall be governed by the procedure set forth in Regulation 5-6.1 and Regulation 5-21.2.~~
- ~~4. Appeals of disciplinary actions resulting in out-of-school suspension of more than ten (10) days shall be governed by the procedure set forth in Policy 5-21, Regulation 5-21.1, and Regulation 5-21.3.~~
3. Appeals of out-of-zone decisions shall be governed by Regulation 5-14.1.
- ~~5.4.~~ Appeals of the 2.0 Waiver Rule reflected in Policy 5-49 shall be governed by this Regulation beginning at Level II. Permissible reasons for appeal include a procedural irregularity on behalf of the division, injury or other circumstance rendering the previous waiver unusable, or undue hardship, as defined by the Virginia High School League.

B. Appeal Procedures

1. Level I
 - a. A written notice of appeal shall be filed with the school principal within three (3) school days of receipt of notice of the non-disciplinary action or from the date efforts to resolve the matter informally failed, whichever is later.

- b. The School principal will meet with the student or the parent/legal guardian of a minor student subject to the non-disciplinary action and respond in writing within five (5) school days of the receipt of the appeal.
- c. The school principal may assign a designee to meet with the student or the parent/legal guardian of a minor student subject to the non-disciplinary and to respond in writing within five (5) school days of the receipt of the appeal if the principal will be absent pursuant to authorized leave during the five (5) day appeal period as set forth in this section.
- d. The principal's or designee's written response to the appeal must include information regarding the appeal procedure and the name, address and telephone number of the appropriate coordinator in the administrative office who will handle the appeal.

2. Level II

- a. A written notice of appeal of the principal's or designee's decision shall be filed with the coordinator in the administrative office, as determined based on the reason for the appeal, handling the appeal within three (3) school days of the receipt of the principal's decision.
- b. The coordinator in the administrative office, as determined based on the reason for the appeal, handling the appeal will investigate the matter and respond in writing within five (5) school days of the receipt of the appeal. The coordinator's written response to the appeal will include information regarding the appeal procedure and the name, address, and phone number of the director who will handle that appeal.

3. Level III

- a. A written notice of appeal of the coordinator's decision shall be filed in writing within three (3) school days of receipt of the coordinator's decision to the director of the appropriate administrative office.
- b. The director of the administrative office as designated by the Superintendent to handle the appeal, acting as the Superintendent's designee, will investigate the matter and respond in writing within five (5) school days of the receipt of the appeal.
- c. Acting as the Superintendent's designee, the decision of the director of the administrative office handling the appeal shall be final.

Related Links

School Board Regulation 5-6.1
School Board Regulation 5-14.1
School Board Policy 5-21
School Board Regulation 5-21.1
School Board Regulation 5-21.2
School Board Regulation 5-21.3

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