

## CHAPTER 5.00 – STUDENTS

### STUDENT GRIEVANCE PROCEDURE

5.30.1

Whenever Students/Parents have a grievance, every reasonable effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, the Student/Parent can resort to the more formal procedures as provided herein.

#### I. Definitions

- A. *Grievance* shall mean any legitimate allegation, made in good faith, of a violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. *Grievance* shall not apply to any matter in which the method of review is prescribed by law. *Grievances* are objections to a specific act or condition.
- B. *Complainant* shall mean any Student and their Parents or legal guardians, directly affected by the alleged misinterpretation or violation, filing a Complaint.
- C. *School* shall mean the Daleville City Board of Education or its representatives.
- D. *Day* shall mean a school day (Monday through Friday including holidays).

II. Time Limits – The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.

#### III. Complaint Procedure

- A. Informal Discussion – If a Complainant in good faith believes there is a legitimate basis for a Grievance, he/she shall discuss the Grievance with a teacher or guidance counselor within five (5) days of the occurrence of the alleged violation.
- B. Step One – If the Complainant is not satisfied with the informal resolution he/she may, within ten (10) days of the occurrence of the alleged violation, file a formal Complaint in writing and signed by the Student and Parent/Legal Guardian, and hand deliver it to his/her School Principal. The Complaint shall describe the alleged problem in detail and the alleged violation(s) of School Policy. The School Principal shall meet with the Complainant and take all reasonable steps that in his/her judgment and discretion will fairly resolve the matter. The Complainant shall fully cooperate with the Principal in resolution efforts. If a resolution cannot be

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reached, Complainant shall request the Principal to make his/her determination in writing. Otherwise, a written determination by the Principal is not required.

- C. Step Two – If the Complainant is not satisfied with the resolution at Step One, he/she may, within ten (10) days of the Principal's written determination, hand deliver a copy of the Complaint to the Superintendent. The Superintendent shall indicate his/her disposition in writing to the Complainant.
- D. Step Three – If the Complainant is not satisfied with the resolution at Step Two, he/she may, within ten (10) days of the Superintendent's written determination, hand deliver a written request to the Superintendent requesting a Step Three Grievance Hearing before the Board. The written request shall explain in detail each reason why Complainant is not satisfied with the Superintendent's written determination. The Board Hearing shall be scheduled as soon as practicable at the Superintendent's discretion and in accordance with Board policy.

### IV. Step Three Grievance Hearing

The Complainant shall have the right to attend the hearing and:

- (1) Request that the hearing be public or private;
- (2) Examine and produce evidence.
- (3) Present evidence and witnesses.
- (4) Question and cross-examine witnesses.
- (5) Have present, and be represented by legal counsel at Complainant's own expense.
- (6) Contradict evidence.
- (7) Make statements to the Board.

The Board may set additional rules and conditions for the Hearing so long as Complainant is notified of same beforehand.

At the conclusion of the Hearing, the Board may deliberate in executive session if appropriate and render its decision upon re-entering open session. The Board, in its discretion, may require additional hearings, documentation, investigation, etc., prior to rendering its decision. In any event, the Board's decision will be communicated to the Complainant in writing and the Board's decision shall be final.

- V. Confidentiality will be provided to the extent possible to any Complainant. However, the Board shall in no way be responsible for information that Complainant chooses to disclose to third parties and/or the media.

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**STATUTORY AUTHORITY:**

**CODE OF ALABAMA  
16-1-30**

**LAW(S) IMPLEMENTED:**

**CODE OF ALABAMA  
16-12-3, 16-12-5**

**HISTORY:**

**ADOPTED: April 27, 2011  
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