

5153-R Section 2, Parental Rights - Complaint Procedures

Parents and guardians are encouraged to first address any concerns regarding compliance with Policy 5153 Parental Rights with the building principal. If a parent or guardian believes school district staff violated Policy 5153 Parental Rights with respect to their own student, the parent may file a written complaint with the Superintendent within fourteen calendar days of the alleged violation.

The complaint must include:

- The name and contact information of the parent and the name of the student;
- The date and a detailed description of the violation; and
- All relevant documentation

The Superintendent shall acknowledge receipt of the complaint in writing within seven (7) business days from the date of receipt, or within seven days of the postmark if the complaint is sent by U.S. Postal Service. The Superintendent will review the complaint and any associated documentation, and may request additional information or evidence from the parent and applicable district staff. The Superintendent will make a decision on the complaint and will notify the parent and the school or School District staff of the decision in writing within thirty (30) calendar days after the written notice of receipt.

If the parent aggrieved by the Superintendent's decision, they may submit a written request for a hearing to the Board. Any request for hearing must be received within ten (10) business days of receipt of the Superintendent's decision.

The Board of Trustees shall review the complaint based on the materials, documents, records and evidence presented to the Superintendent. The Board shall schedule a hearing which shall take place within fifteen days after receiving the written request for a hearing, unless the parties agree to an extension of the hearing beyond fifteen days. The Board shall give written notice of the date, time and location of the hearing to the Superintendent and the parents requesting the hearing. The Chair of the Board may meet with the parents and Superintendent prior to the hearing to address questions, including those related to the hearing procedure and information presented at the hearing. The Board may, but is not required to, retain legal counsel to assist and advise the Board with the conduct of the hearing. The Board may allow legal counsel to serve as the presiding officer at the hearing. At the hearing, the parent appealing the Superintendent's decision shall have the burden of proving that the Superintendent erred in his or her determination on the parent or guardian's complaint. The Board shall give both the parent and Superintendent the opportunity to present arguments based on the information presented to the Superintendent. Only information materials, records and documents that were presented to the Superintendent may be presented to the Board. No new evidence shall be presented to the Board. The Board may exclude evidence which is irrelevant or immaterial to the complaint. The Board shall make a recording of the hearing, which may include an audio or video recording, or a court reporter. The Board shall issue a written decision within thirty (30) calendar days after receipt of the request for hearing. The decision shall be sent to the parent via the United States Postal Service.

If a parent is aggrieved or adversely affected in fact by a final decision of the Board, the parent may seek judicial review of the decision within thirty (30) calendar days of the postmarked decision, in accordance with Wyoming Statute §16-3-114.

ADOPTION DATE: August 27, 2024

LEGAL REFERENCE(S): W.S. 16-3-114, W.S. 21-3-135

CROSS REFERENCE(S): 5153

ADMINISTRATIVE REGULATION(S): 5153-R Section 1