

Student/Parent Complaints and Grievances

Policy Code: 1740/4010

The Guilford County Board of Education provides an environment conducive to educational success. Mutual respect, fair and impartial treatment, open lines of communication, and adequate procedures for resolving differences are essential tools for addressing issues and concerns of parents/caregivers and students during their educational experiences.

The Board expects all teachers and administrators to develop positive, respectful, and professional relationships with students and parents. The Board expects all teachers and administrators to reduce sources of conflict between students, parents, and school system employees and to attempt to resolve differences when they occur. Likewise, the Board expects all students and parents to attempt to resolve points of difference in a respectful and productive manner. In general, complaints should be received and addressed at the level closest to which the complaint originated.

To this end, the Board has provided opportunities for students and parents to express their concerns through processes established in Board policies. These policies include policies related to student discipline; bullying, harassment, and discrimination; parent concerns related to health requirements; parent concerns related to curriculum; challenges to identification, evaluation, placement of students with disabilities, and others. Any student or student’s parent who has questions about which board policy applies to a particular concern and/or the options for proceeding with a formal grievance should contact the principal or Superintendent or designee.

This policy is designed to cover those situations not contemplated in other board policies in which a student or parent alleges a violation of law or policy, as further described below. While the Board encourages resolutions of complaints through informal means, it recognizes that, at times, a formal process may be necessary. The primary purpose of this policy is to secure an equitable resolution to the grievance of a parent or student at the lowest possible administrative level.

A. DEFINITION OF GRIEVANCE

A grievance is a formal written complaint by a currently enrolled student or student’s parent of the Guilford County Schools that alleges one or more violation of a specified federal law, State law, State Board of Education policy, State rule, or local board policy. The term grievance does not apply to any matter for which the method of review is prescribed by law, for which there is a more specific remedy in law or board policy, or for which the Board of Education is without authority to act. Grievances are not available to address student discipline or student assignment actions. For purposes of this policy, the term “parent” refers to a currently enrolled student’s parent, legal custodian, or person acting in loco parentis.

B. PROCEDURES

The Superintendent will establish administrative procedures for the implementation of this policy. The procedure should allow for grievances to be raised and settled in a prompt and efficient manner. All students and families are encouraged to make reasonable efforts to resolve grievances informally and at the most immediate administrative level. All hearings and conferences under the grievance procedure will be private and confidential unless otherwise

provided by law or unless otherwise mutually agreed to by all Interested Parties. To the extent possible, all hearings and meetings will take place so as not to interrupt the regular educational progress of the student. An The procedure will provide for an appeal to the Board of Education of a final administrative decision regarding a grievance. Hearings will be conducted in accordance with Policy 2500 Hearings before the Board.

C. RIGHT TO REPRESENTATION

Any student or parent involved in a grievance process has a right to representation by a third party to the grievance. Third party representatives are expected to follow the rules established for grievances and to act with courtesy and decorum befitting a hearing or formal meeting. No party may have more than one representative present at a hearing or formal meeting. Parties intending to bring representation to the hearing or formal meeting must notify all other Interested Parties at least 2 days before the hearing of the name and position (attorney, pastor, association representative, etc.) of the third-party representative they are bringing.

D. PROHIBITION ON RETALIATION

No coercion, discrimination, or other reprisals of any kind will be taken by the Board or by an employee of the school system against any student or witness because of their participation in a grievance filed and decided pursuant to this policy and its accompanying procedure.

E. NOTICE

The Superintendent or designee is responsible for providing effective notice to employees of the procedures for reporting and investigating grievances. When questions arise regarding which policy or procedure to follow, the principal or Superintendent or designee will provide information to students and parents to assist them in accessing the correct policies and procedures.

Legal References: G.S. 115C-45(c); 126-16; 150B-43 et seq.

Cross References: Prohibition Against Discrimination, Harassment, and Bullying (policy 1720/4015/7225), Hearings Before the Board (policy 2500), Student Discipline (policy 4300)

Replaces: JCE (revised October 9, 2012); JCE-P1 (issued August 23, 2001)

Adopted: April 26, 2018

Revised: TBD

~~A. Options for Resolving Complaints~~

~~It is the policy of the Guilford County Board of Education (“the Board”) to provide an environment conducive to educational success. Mutual respect, fair and impartial treatment, open~~

lines of communication, and adequate procedures for solving differences are essential tools for solving issues and concerns of parents and students during their educational experiences.

The Board expects all teachers and administrators to develop positive, respectful and professional relationships with students and parents. The Board expects all teachers and administrators to reduce sources of conflict between students, parents and school system employees and to attempt to resolve differences when they occur. Likewise, the Board expects all students and parents to attempt to resolve points of difference in a respectful and productive manner. To this end, the Board has provided opportunities for students and parents to express their concerns through processes established in Board policies. Policy 1742/5060, Responding to Complaints, which identifies these different processes, including a mechanism for resolving complaints in an informal manner.

While the Board encourages resolutions of complaints through informal means, it recognizes that, at times, a formal process may be necessary. The primary purpose of this policy is to secure an equitable resolution to the grievance of a parent or student at the lowest possible administrative level.

Any parent or student who has questions about the options for proceeding with a formal grievance may contact the principal or Superintendent or designee for further information and copies of all applicable Board policies. The Board further directs the Superintendent to develop an administrative regulation that outlines the grievance process.

B. Matters that May be Resolved Through the Grievance Process

The grievance process available under this policy may be used by a currently enrolled student or a student's parent who believes that the student or parent has been adversely affected by a decision or action of school personnel and that the decision or action misapplied, inequitably applied, misinterpreted, or violated a specified federal or state law or regulation, State Board of Education policy, or local Board policy or administrative regulation.

No coercion, discrimination, or other reprisals of any kind will be taken by the Board or by an employee of the school system against any student or student's parent, or against any other student or employee participant or witness because of his or her participation in a grievance filed and decided pursuant to this policy and its administrative regulation.

C. Notice

The Superintendent or designee is responsible for providing effective notice to students, parents, and school system employees of the procedures for reporting and investigating grievances.

D. Records

Appropriate records shall be maintained in accordance with state and federal law.