

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

GUIDING PRINCIPLES	The Board encourages students and parents to discuss their concerns and complaints through informal conferences with the appropriate teacher, principal, or other campus administrator.
INFORMAL PROCESS	Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.
FORMAL PROCESS	<p>If an informal conference regarding a complaint fails to reach the outcome requested by the student or parent, the student or parent may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p>
FREEDOM FROM RETALIATION	Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.
NOTICE TO STUDENTS AND PARENTS	The principal of each campus shall inform students and parents of this policy.
APPLICATION	Except as addressed by SPECIFIC COMPLAINTS, below, this policy applies to all complaints or grievances from students or parents.
SPECIFIC COMPLAINTS	<p>Complaints alleging certain forms of harassment shall be processed in accordance with FNCJ.</p> <p>For more information on how to proceed with complaints regarding:</p> <ol style="list-style-type: none">1. Alleged discrimination, see FB.2. Loss of credit on the basis of attendance, see FEC.3. Removal to a disciplinary alternative education program, see FOC.4. Expulsion, see FOD and the Student Code of Conduct.5. Identification, evaluation, or educational placement of a student with a disability within the scope of Section 504, see FB.6. Identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act, see EHBA, FOF, and the par-

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ents' rights handbook provided to parents of all students referred to special education.

7. Instructional materials, see EFA.
8. On-campus distribution of nonschool materials, see FNAA.
9. A commissioned peace officer who is an employee of the District, see CKE.

DEFINITIONS

For purposes of this policy, terms are defined as follows:

COMPLAINT /
GRIEVANCE

The terms "complaint" and "grievance" shall have the same meaning.

FILING

Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked by U.S. Mail on the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

RESPONSE

At Levels One and Two, "response" shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the student's or parent's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on the deadline and received by the student or parent or designated representative no more than three days after the response deadline.

REPRESENTATIVE

"Representative" shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.

The student or parent may designate a representative through written notice to the District at any level of this process. If the student or parent designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel.

DAYS

"Days" shall mean District workdays as defined by the District's adopted calendar. In calculating time lines under this policy, the day a document is filed is "day zero," and all deadlines shall be determined by counting the following day as "day one."

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GENERAL
PROVISIONS

Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

Announcement of a decision in the student's or parent's presence shall constitute communication of the decision.

UNTIMELY FILINGS

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process. The student or parent may appeal the dismissal by seeking review in writing within ten days, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

COSTS INCURRED

Each party shall pay its own costs incurred in the course of the complaint.

COMPLAINT FORM

Complaints under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted unless the student or parent did not know the documents existed before the Level One conference.

A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the requested information if the refiling is within the designated time for filing a complaint.

LEVEL ONE

A student or parent who has a complaint shall request a conference with the principal or designee, within five working days of the time the student knew or should have known, of the event or series of events causing the complaint. The principal or designee shall schedule and hold a conference with the student within four working days. The principal or designee shall have five working days following the conference within which to respond.

LEVEL TWO

If the outcome of the conference with the principal or designee is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may request a conference with the director of campus operations. The request must be filed within five working days of the response, or if no response is received, within five working days of the response deadline. The

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director of campus operations shall schedule and hold a conference with the student within four working days of the request. The request for a conference shall include a written complaint that includes a statement of the complaint and any evidence in its support, the solution sought, the student's or parent's signature, and the date of the conference held with the principal or designee. The director of campus operations shall have five working days following the conference within which to respond.

LEVEL THREE

If the outcome of the conference with the director of campus operations is not to the student's or parent's satisfaction, the student or parent may request a conference with the Superintendent or designee. The request must be filed within five working days following receipt of a response or, if no response is received, within five working days of the response deadline, excluding District holidays. The Superintendent or designee shall schedule and hold a conference within four working days of the request. The request for a conference shall include a written review including the written complaint and any evidence in its support, the solution sought by the student or parent, and the resolution reached at the Level One and Level Two previous administrative conferences. The Superintendent or designee may make an investigation of the complaint, hold an additional conference with the student or parent, and/or rule on the merits of the complaint based on the record of previous administrative conferences. The Superintendent or designee shall have five working days following the final conference within which to respond.

LEVEL FOUR

If the outcome of the conference with the Superintendent or designee is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may submit to the Superintendent a written request to place the matter on the agenda of the next regular Board meeting.

HEARING BEFORE
THE BOARD

The Board shall hear the complaint within 30 working days after receipt of a written request, provided that the presentation may be postponed by mutual consent. The Board shall notify the party requesting the hearing in writing of the time and place of the presentation. The presiding officer shall establish a reasonable time limit for complaint presentations. The District shall make an accurate verbatim record of the Level Four proceeding before the Board. The Board shall hear the complaint and take whatever action it deems appropriate. A lack of official action by the Board shall uphold the administrative decision at Level Three.

CLOSED MEETING

If the complaint involves concerns or charges regarding an employee, it shall be heard by the Board in closed meeting unless the

employee to whom the complaint pertains requests that it be public.