



Kestrel Heights School Grievance Policy

Student or Parent/Guardian Grievances

Care must be taken at all times to ensure that students are treated fairly and that adequate provision is made for responding to grievances.

A grievance is defined as the formal written claim by a Kestrel Heights School student or parent/guardian that there has been a violation, misinterpretation, or misapplication of federal or state law or regulation, or Kestrel Heights School policies. A grievance also includes any matter subject to appeal under

Legal Reference: G.S.115C-45(c) or Legal Reference: G.S.115C-305.

A grievance does not include an appeal from a recommendation for a student's long-term suspension, expulsion, 365-day suspension, or other decisions of school employees for which other avenues of appeal to the Board exist.

The intent of this policy is to secure, at the lowest possible level, equitable solutions to problems periodically affecting students and employees. These grievance proceedings shall be kept as informal and confidential as possible at all levels of the procedure.

It is desirable for grievances to be resolved through free and informal communications. A student or parent/guardian should first attempt to resolve any grievance through discussion with the Director or teacher. If a grievance cannot be resolved at this level, the aggrieved student may request a grievance conference with the Director.

Failure of a student to comply with timelines listed below will result in denial of the grievance or appeal.

Failure of the school administration to comply with these timelines will result in automatic right of appeal to the next level.

Step I -- Director Conference: A student or parent/guardian wishing to invoke the grievance procedure shall make a written request for a conference with the Director to discuss the grievance and seek resolution. The request shall describe the grievance and name the specific policy, rule or law believed to have been violated. The following additional guidelines shall be observed in Step I:

A. A grievance shall be filed as soon as possible but not longer than thirty (30) days after disclosure of the facts giving rise to the grievance.

B. The Director shall grant the conference within five (5) school days following receipt of the request. The Director will state in writing his/her position on the question to the student or parent/guardian within five (5) school days following the conference.

Legal Reference: G.S.115C-45.

Step II -- Appeal to the Kestrel Heights School Board: A panel of the Board consisting of three (3) members, designated by the chairperson on a rotating basis, and shall hear the grievance. Any appeal to the Board panel shall be on the record unless the panel determines that additional information may be presented. No new evidence, written or verbal, may be presented without the prior knowledge and consent of both parties or upon a majority vote of the hearing panel. The aggrieved party will be informed in writing of the panel's decision within five (5) working days. The Board panel may affirm, disaffirm, or modify the decision of the Director. The Director will develop a grievance form to assist in recording each step of the grievance process. If the Board panel fails to reach a unanimous decision on the grievance, the matter will be reviewed by the full Board for a final decision.

Legal Reference: G.S.115C-45; Title IX of the Education Amendments of 1972 Cross Reference

Adopted Effective: April 13, 2010