

# MORGAN COUNTY BOARD OF EDUCATION

## STUDENT CONCERNS, COMPLAINTS AND GRIEVANCES

Descriptor  
Code:  
JCAC

Issued Date:  
09/08/98

### STUDENT CONCERNS AND COMPLAINTS

Decisions made by school personnel - such as aides, teachers, or assistant principals - which students believe are unfair or in violation of pertinent policies of the Board or individual school rules may be appealed to the school principal or a designated representative. To appeal, students will contact the principal's office in their school and provide their name, the issue and the reason for their appeal on a printed form available at the school office within two days. The appeal will usually be decided confidentially and promptly, preferably within 15 school days.

However, if the principal does not make a decision within 15 school days following the date of complaint, students or parents may appeal at that time by contacting the superintendent/designee at the central office. The information provided should include the student's name, the school and a description of the problem.

An investigation and decision will be made within two (2) school days and communicated to the school principal and student by telephone. A written copy of the decision also will be sent to the student and the principal.

### DISCRIMINATION/HARASSMENT GRIEVANCE PROCEDURES

*Filing a Complaint* - Any student of this school district who wishes to file a discrimination/harassment grievance against another student or an employee of the district may file a written or oral (recorded, if possible) complaint with a complaint manager.<sup>1</sup> Students may also report an allegation of discrimination/harassment to any teacher or other adult employed in the school who shall inform a complaint manager of the allegation. The complaint should include the following information:

- Identity of the alleged victim and person accused;
- Location, date, time and circumstances surrounding the alleged incident;
- Description of what happened;
- Identity of witnesses; and
- Any other evidence available.

*Investigation* - Within twenty-four hours of receiving the student's complaint, the complaint manager shall notify the complaining student's parent/guardian and the principal who shall inform the superintendent. The parent/guardian shall be given notice of the right to attend an interview of the student in a non-intimidating environment in order to elicit full disclosure of the student's allegations. This interview shall take place within five (5) days from the time the complaint was first made. If no parent/guardian attends the interview, another adult, mutually agreed upon by the student and the complaint manager, shall attend and may serve as the student's advocate. After a complete investigation, if the allegations are substantiated, immediate and appropriate corrective or disciplinary action shall be initiated. The complaint and identity of the complainant will not be disclosed except (1) as required by law or this policy; or (2) as necessary to fully investigate the complaint; or (3) as authorized by the complainant. A school representative will meet with and advise the complainant regarding the findings, and whether corrective measures and/or disciplinary action were taken. The investigation and response to the complainant will be completed within thirty (30) school days. Copies of the report will be sent to the student, principal, Federal Rights Coordinator and the superintendent. One copy shall be kept in the complaint manager's file

1 for one (1) year beyond the student's eighteenth (18<sup>th</sup>) birthday. The superintendent shall keep the Board  
2 informed of all complaints.

4 *Decision and Appeal* - If the complainant is not in agreement with the findings of fact as reported by the  
5 complaint manager, an appeal may be made, within five (5) work days to the superintendent. The  
6 superintendent will review the investigation, make any corrective action deemed necessary and provide a  
7 written response to the complainant. If the complainant is not in agreement with the superintendent's  
8 findings of fact, appeal may be made to the Board of Education within five (5) work days. The Board  
9 shall, within thirty (30) days from the date the appeal was received, review the investigation and the actions  
10 of the superintendent and may support, amend or overturn the actions based upon review and report their  
11 decision in writing to the complainant.

### 13 APPOINTING COMPLAINT MANAGERS

14  
15 The superintendent shall appoint at least two complaint managers, one of each gender for each school.  
16 The Federal Rights Coordinator may serve as a complaint manager. The superintendent shall insert into  
17 this policy the names, addresses and telephone numbers of current complaint managers. *(see note)*

18  
19 This policy shall be published in the parent/student handbook distributed annually to every student.  
20 Building administrators are responsible for educating and training their respective staff and students as to  
21 the definition and recognition of discrimination/harassment.

22  
23 *(Note: Title IX regulations require districts to identify the name, address and telephone number of the*  
24 *person who is responsible for coordinating the district's compliance efforts. A policy should not be*  
25 *adopted with a person's name in it; rather, the identifying information can be added and amended as*  
26 *necessary.)*

42  
43 Legal References:  
44  
45 1. Title IX, Education Amendment of 1972,  
46 20 U.S.C. 1681, et seq.

42  
43 Cross References:  
44  
45 Appeals to & Appearances Before the Board 1.609  
46 Grievances & the Americans w/Disabilities Act 5.501  
47 Discrimination/Harassment of Students 6.305