

CHAPTER 5.00 – STUDENTS

GRIEVANCE

5.33.2

Whenever a Dale County School System student believes that he/she has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, students can resort to the more formal procedures as provided herein.

I. Definitions

- A. *Complaint* shall mean any alleged violation, misinterpretation or any inequitable application of any published policy, rule or regulation of the school system. *Complaint* shall not apply to any matter in which the method of review is prescribed by law. *Complaints* are objections to a specific act or condition.
- B. *Complainant* shall mean any student or group of students, directly affected by the alleged misinterpretation or violation, filing a complaint.
- C. *Faculty/Staff and Administration* shall mean the employees of the Dale County Board of Education or representatives under the direct supervision of an employee of the school board.
- D. *Day* shall mean a school/academic day.

II. Time Limits – The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.

III. Released Time – The complaint procedure will normally be carried out during non-instructional time. If, however, the Board elects to carry out provisions during instructional time, the complainant shall not lose academic credit.

IV. Complaint Procedure

- A. Informal Discussion – If a student believes there is a basis for complaint, he/she shall discuss the complaint with his/her principal or the designee of the principal, within five (5) days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which thirty (30) days will be allowed.
- B. Level One – If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint in writing and deliver it to his/her principal or designee. The principal or designee shall communicate his/her answer in writing to the complainant within ten (10) days of receiving the written complaint. Class complaints involving more than one (1) principal or designee and complaints involving an administrator above the building level may be filed by the complainant at level two.
- C. Level Two – If the complainant is not satisfied with the resolution at level one he/she may, within ten (10) days of the answer, file a copy of the complaint with

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the Superintendent. The Superintendent shall indicate his/her disposition in writing to the complainant within ten (10) days.

- D. Board Appeal – If the complainant is not satisfied with the resolution by the Superintendent, he/she shall have the right to appeal the Superintendent's decision to the Dale County Board of Education, provided request for placement on Board agenda is filed within ten (10) days.
- E. If a grievance is filed by a student, who meets the definition of Homeless or EL, and a resolution cannot be resolved using the LEA Grievance procedure; the complainant may file a grievance with the State Department of Education. The complainant would then follow the state grievance procedures, which are found in the document Library of EGAP. The complainant will be provided a copy of the state grievance procedures and contact information for the appropriate state personnel. The Homeless Liason will assist in filing the complaint with the State Department of Education. The address used for filing the complaint is as follows:
State Department of Education
Federal Programs Section
50 N Ripley Street
P O Box 302101
Montgomery, Alabama 36130-2101
The phone number is 334-242-8199 or 1-888-725-9321
- V. Confidentiality will be provided to the extent possible to any student or affected party who alleges discrimination or harassment.

STATUTORY AUTHORITY:

**CODE OF ALABAMA
16-1-30**

LAW(S) IMPLEMENTED:

**CODE OF ALABAMA
16-1-30, 16-12-3(c)**

ALABAMA ADMINISTRATIVE PROCEDURE ACT: _____

HISTORY:

**ADOPTED: Dec 16, 2008
REVISION DATE(S): May 8, 2012
FORMERLY: JCD**