



**SECTION:** 3000 - Students ▾

**TITLE:** Grievance Process and Appeals of Administrative Decisions

**NUMBER:** 3560

**STATUS:** Approved ▾

**DATE ADOPTED:** Dec 6, 2022

## DUE PROCESS PROCEDURES RIGHTS OF APPEAL

Grievance Procedures. Students and Parents are entitled to pursue their grievances according to the School's "Grievance Process and Appeals of Administrative Decisions Policy" as outlined.

### **Grievance Process and Appeals of Administrative Decisions**

**A. Introduction and Objectives.** The School seeks to provide a process that both allows students, parents, and staff to resolve concerns in a timely and effective manner and ensures the School operates efficiently and effectively. To this end, this policy establishes mechanisms for addressing grievances through informal and, if appropriate, formal means. All references herein to the Principal include any person assigned as the Principal's designee.

**B. Informal Grievance Procedure.** All concerns should first be addressed directly and informally with the persons involved. This includes reasonably notifying those causing and involved in the grievance, allowing them to reasonably respond, and an opportunity to make good faith efforts toward resolution. If necessary, the individuals involved are encouraged to seek the assistance of an objective party to assist with informal resolution.

**C. Formal Grievance Procedure.** Persons must seek informal, timely resolution before filing a formal grievance, unless doing so is not reasonably feasible, is futile, or if formal grievance procedures are legally required. The grievant may then file a formal grievance with the Principal within ten school days after the last informal attempt at resolution; if informal resolution is not required, the grievant shall file the grievance within ten school days of the last instance causing the grievance.

**Thomas Jefferson Classical Academy**  
**3560 - Grievance Process and Appeals of Administrative Decisions**

The formal procedure shall be initiated by submitting to the Principal a written request for redress. Such a request must succinctly state the specific grievance(s), the supporting facts, the basis in Board policy or law (citing specific policies or laws), the requested relief, and the efforts made to resolve the matter informally. The Principal may require submission of an approved form for such a grievance filing.

The Principal shall determine whether informal resolution requirements have been satisfied or are not required. If the Principal determines that the grievant is entitled to a formal grievance process, he shall provide a copy of the formal grievance to all other persons implicated by the grievance. The Principal shall reasonably investigate and consider the matter (which may include meeting with the parties involved and holding an informal hearing) and issue a decision within ten school days from the date the grievance is filed; additional time for the Principal's decision shall be allowed when reasonably required by circumstances. All deliberations shall be held in confidence where feasible and involve only persons in a need-to-know position. A decision by the Principal under these grievance procedures shall be considered a "final administrative decision."

**D. Right to Appeal to the School Board.** A person has the right to appeal any final administrative decision affecting a constitutional or other legal interest and/or an interest of the type listed below:

1. Suspension or expulsion of a student for more than 10 days (per School suspension and expulsion procedures required by Chapter 115C, Article 27 of the North Carolina General Statutes);
2. An alleged violation of a specified federal or state law or regulation;
3. The loss or reduction of salary of a school employee under a specific-term contract who is not employed at will; or
4. Any other decision that, by law, provides for a right of appeal to the School Board and for which there is no other statutory appeal procedure.

Within 10 school days after the Principal's final administrative decision, any person seeking a hearing under this section may appeal to the Board by submitting a written request to the Board Chairperson through certified mail or personal delivery to the High School office, 2527 Hwy 221a Mooresboro NC 28114. The person(s) making such request shall also promptly deliver a copy of the hearing request to the Principal.

**E. Discretionary Appeals to the Board.** Any person aggrieved by a decision not involving a matter addressed in Section D, may, within 10 school days after the Principal's final administrative decision, request a Board hearing, by submitting a written request to the Board Chairperson through certified mail or personal delivery

**Thomas Jefferson Classical Academy**  
**3560 - Grievance Process and Appeals of Administrative Decisions**

to the High School office, 2527 Hwy 221a Mooresboro NC 28114. The person(s) making such request shall also promptly deliver a copy of the hearing request to the Principal. In such cases, the Board has the discretion to deny or grant a hearing. The Board shall notify the person making the request and the Principal of its decision, and the time, place, and manner of the hearing if granted.

**F. Board Hearing Procedures.** In all appeals to the Board, the Board shall provide adequate notice of hearing rights and procedures to all concerned parties and keep a record of any hearing conducted. In the case of hearings required by right under Section D, all parties have the right to appear before the entire Board, to be represented by counsel or other representatives, to submit documentation, and to reasonably examine and cross-examine witnesses. Hearings involving student suspensions or expulsions shall conform to the requirements of Article 27 of the North Carolina General Statutes. In the case of an employee grievance concerning a salary loss or reduction, the employee may request and shall be entitled to receive written notice as to the reasons for the final administrative decision. This notice shall be provided to the employee at a time reasonably in advance of any Board hearing.

For all discretionary hearings allowed under Section E, the hearing may be based on the written record or, instead, by the parties' personal appearance. The Board may designate a hearing officer or panel composed of one or more Board members to act upon such hearing requests on the Board's behalf. The Board reserves the right, at their sole discretion, to determine the manner by which it shall conduct such hearing. Board hearings (by right and by discretion under sections D and E, respectively) shall be conducted within ten school days from the date the hearing is requested, unless circumstances reasonably require additional time. A final Board decision shall be rendered and delivered in writing to the respective parties within five school days of the hearing's conclusion. The Board's decision shall be final.