

Garnet Career Center Student Grievance Policy

Garnet Career Center maintains records on student complaints that are filed in accordance with the institution's grievance policy to ensure acceptable quality in the educational programs offered by the institution. A record of the complaint, the resolution, and the process used to adjudicate the matter will be filed in the student's record and kept with the department chair, and a copy will be given to the school counselor and principal. Garnet Career follows the student grievance procedures mandated by both the Council on Occupational Education and the Kanawha County Board of Education.

GRIEVANCE PROCEDURES FOR RESOLUTION OF STUDENT COMPLAINTS

Purpose: This standard procedure will provide the student a mechanism for resolving grievances related to school.

Procedures: The first attempt to resolve student complaints should take place through an information discussion between the student and the instructor.

Level 1: If the complaints are not resolved as a result of an informal discussion, the complaints are then submitted to the principal in writing. The principal is obliged to respond in writing to the complaints within five (5) school days. This time period may be extended by mutual agreement between the student and the principal.

Level 2: The student may appeal a Level One decision by submitting a written complaint to the Assistant Superintendent of Career and Technical Education. The student must appeal the Level One decision within ten (10) school days. This period may be extended by mutual agreement between the student and the Assistant Superintendent.

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NOTIFICATION OF TITLE IX GRIEVANCE PROCEDURE

KANAWHA COUNTY SCHOOLS ADMINISTRATIVE REGULATION

Title IX Grievance Procedure

Series: J12A

Reference: Title IX Educational Amendments of 1972

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Title IX of the Education Amendments of 1972 prohibits sex discrimination in educational programs or activities receiving Federal financial assistance. The following student grievance procedure has been adopted:

KANAWHA COUNTY SCHOOLS

TITLE IX

Procedure for Resolution

of Title IX Problems/Concerns of Students

1. Purpose

The purpose of this procedure is to provide a way for Kanawha County students to reach solutions to problems of alleged sex discrimination.

2. Procedure

Student has informal discussion with building principal.

*Level One - Student submits written grievance to building principal within five calendar days of the occurrence of the event. The building principal shall issue written decision within five days of receipt of grievance. This time period may be extended by mutual agreement of the principal and the grievant.

*Level Two - Student appeals level one decision by submitting written grievance to the Title IX Committee, Kanawha County Schools. Student must appeal within five days. Title IX must conduct an on-site investigation of the grievance and issue a written decision within ten days.

*Level Three - Student appeals level two decision by submitting a written grievance to the Board of Education through the Superintendent. Student must appeal within five days. The Superintendent of Schools must submit the grievance to the Board of Education five days prior to the next regular meeting. Board of Education must issue a decision within 45 days. The time limit may be extended upon mutual agreement of the Board of Education and the grievant.

Title IX prohibits harassment of any student and parties in interest involved in the processing of the grievance. Decisions by the Kanawha County Board of Education in grievance matters are final. In a proper case, review may be had in the circuit courts.

TITLE IX

STUDENT GRIEVANCE PROCEDURE

Section I - Purpose

The purpose of this procedure is to provide a way for students to reach solutions to problems of alleged sex discrimination.

Good morale is maintained, effective scholastic performance is enhanced, and the students of the school are better served when sincere efforts of principal and students are exerted toward constructive solutions to problems that may arise. It is the intent of this procedure to provide in a simple, straightforward, and easily understood way, for the solution of problems at the lowest possible administrative level, as fairly and as expeditiously as possible.

Section II — Definitions

(a) **Grievance** - Grievance shall mean a claim by a student of a violation, a misapplication, a disagreement, or a misinterpretation of Title IX Rules and Regulations, specifying that which is claimed to be violated and the specifics of such violation. The term “grievance” shall not apply to any matter for which (1) the method of review is prescribed by law, or (2) the Title IX Committee is without authorization to act.

(b) **Student** - Student shall mean any person enrolled in the public schools of Kanawha County, i.e., elementary, secondary, career and technical, adult education and community education.

(c) **Days** - “Days” shall refer to consecutive days of the week excluding Saturdays, Sundays, and holidays.

(d) **Parties in Interest** - Any persons involved in the processing of the grievance.

(e) **Representative** - Any person authorized by the grievant to advise or speak for the grievant.

Section III Procedure

Since it is important that a grievance be processed as rapidly as possible, the number of days indicated at each level shall be considered as a maximum and every effort should be made to expedite the process. The time limit specified may, however, be extended by mutual agreement of the grievant and the principal.

If a grievance is filed which might not be finally resolved under the time limits set forth herein prior to the end of the school year, and which if left unresolved until the beginning of the following school year, could result in irreparable harm to the grievant, the time limit set forth herein will be reduced to the extent possible so that the grievance procedure may be concluded prior to the end of the school year, or as soon thereafter as is practicable.

In the process stated below, a student may have the assistance of a fellow student or one other chosen representative (except at the initial informal discussion) in the preparation and presentation of the grievance. Such person may be present, but only if the grievant so requests.

No reprisals of any kind shall be taken by the principal or by any member of the administration against any grievant, any representative, or any other participant in the grievance procedure by reason of such participation.

All decisions rendered at all levels of the Grievance Procedure shall be in writing, setting forth the decision and the reasons therefore, and shall be transmitted promptly to all parties in interest.

Forms for filing grievances, taking appeals, and any other necessary documents shall be made available to all students upon request so as to facilitate operations of the grievance procedure.

All meetings and hearings under this procedure shall be conducted in private and shall include only such parties in interest and their designated or selected representative heretofore referred to in this article.

A grievance shall be processed in a manner which does not interfere with the student's scheduled classes or school related activities.

In no case may a grievance be altered in content or wording once it is filed. Anything different from the original grievance would be a different case and can be accepted only as a different grievance.

All written records of grievance proceedings shall be maintained in locked file under the custody of the principal and shall not appear in the student's school file. These records may be inspected by the grievant or the grievant's designated representative.

INFORMAL DISCUSSION

Student discusses alleged violation with principal.

LEVEL ONE

If a grievance is not resolved informally, a formal grievance must be lodged by the student with the school principal, in writing, on the prescribed form and signed by the student. Such grievance shall be so lodged within five days of the occurrence of the event upon which it is based. Any discussion with the principal concerning the grievance shall be: by the student or by the student accompanied by a parent/guardian or member of the school faculty or student body.

Within five days after the grievance is lodged, unless extended by mutual agreement of the principal and the grievant, the principal shall state a decision in writing to the appropriate parties.

LEVEL TWO

Within five days of receiving the decision of the principal at Level One, the student may appeal his/her decision to the Title IX Committee, Kanawha County Schools, in writing on the prescribed form and signed by the grievant. The Title IX Committee must:

Review all written decisions and transcripts of previous meetings, conduct an on-site investigation of the grievance, and issue a written decision within ten days to all parties.

The time limit specified may, however, be extended by mutual agreement of the grievant and the Title IX Committee

LEVEL THREE

Within five days of receiving the decision of the Title IX Committee, the grievant may appeal the decision on the prescribed form to the Kanawha County Board of Education (in writing and signed by the grievant) through the Superintendent of Schools who shall present the grievance to the Kanawha County Board of Education at least five days prior to the next regular meeting. The Kanawha County Board of Education within forty-five (45) days shall: review all written decisions and transcripts of previous meetings and issue a decision to all parties or conduct a hearing itself with all persons involved at Level Two and issue a decision within ten days of such hearing.

The time limit specified may, however, be extended by mutual agreement of the Kanawha County Board of Education and the grievant.

Such decision by the Board of Education shall be final; however, appeals to the State Superintendent of Schools, under certain provisions of Chapter 18 and 18A may be appropriate, and proper redress may be sought through the courts, should the student so choose. Grievance forms as listed below are available in the following locations:

- the office of the principal or guidance counselor of any Kanawha County elementary or secondary school, or career and technical center
- the administrative office of any community education or adult education center
- the office of the Title IX Committee Chairperson, Kanawha County Schools, 200 Elizabeth Street, Charleston, WV 25311.

If a student is in need of any forms, inquiry should be made at any of the above listed places, and the student shall follow the directions as outlined in the procedure explicitly.