

CHAPTER 5.00 - STUDENTS

5.37 - Student Grievances

POLICY:

(1) Purpose

The purpose of this rule is to provide a framework within which students can present grievances to the faculty and administration of the Levy County School District for speedy and just resolution. Informal settlements at any stage of the procedure shall be binding on all parties, but shall not constitute a precedent for any subsequent grievance proceedings. Confidentiality and protection from retaliation will be provided to the extent possible to any student who alleges discrimination or harassment.

(2) Grievable Subject Matter

Any dispute concerning the interpretation and/or application of students= rights and responsibilities policy adopted by the School Board of Levy County may be grieved under the procedures hereinafter set forth. However, the grievance procedure shall not be applicable to suspensions and expulsions from Pre-K, kindergarten, elementary, or secondary schools, nor shall a grievance operate to delay the administration of other unrelated disciplinary measures. Allegations of discrimination are included as grievable subject matter.

(3) Grievance Procedure

- (a) When a dispute arises, the student must first discuss the complaint informally with the person against whom it is directed or report the allegation to the school administration. The student may seek the assistance of the Student Services personnel, or other faculty members, and/or his/her parent(s) or guardian(s) in mediating the dispute. The student may be accompanied by his/her parent(s) or guardian(s) or other representative at all steps in this process in order to arrive at an equitable resolution to a dispute.
- (b) If the dispute is not resolved by informal discussion, the student may submit a written, signed grievance to the principal not later than sixty (60) days from the alleged incident prompting the grievance. The written grievance must include a description of the dispute and the facts, as well as an explanation of the desired resolution of the grievance. The principal shall act upon the grievance within ten (10) school days, holding such conferences with the student as necessary. A written answer shall be provided by the principal to the student.

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- (c) Unless safety or the learning environment for other students is at risk, all negative consequences for the grievant shall be held in abeyance from the date the appeal is submitted until its completion. However, affirmative relief sought by a student shall not be applicable until the appeal is completed in a manner favorable to the student.
- (d) If the principal's decision is unacceptable to the student, he/she may submit to the Superintendent of Schools a written, signed grievance. The grievance shall state, with specificity, all material facts which are not in dispute, as well as evidence or explanation for disputed facts, together with the specific rule, policy, or statute claimed to have been violated. The grievance shall also include a true copy of all documents which were presented to or considered by the principal and a copy of the written disposition by the principal. No new information may be added to the documentation.
- (e) The grievance must be submitted to the Superintendent not later than five (5) school days following notification of the principal's decision. The Superintendent, or his/her designee, shall conduct a hearing, if necessary, to resolve disputed facts, and shall issue and serve a written decision within fifteen (15) school days to the student and to the appropriate principal following such consideration as the Superintendent deems proper. The decision of the Superintendent shall include appropriate findings of fact and shall include a true copy of all documents which were presented to, or considered by, the Superintendent in reaching his/her decision.
- (f) If the Superintendent's decision is unacceptable to the student, he/she may submit a signed grievance to the School Board. Such submission must be within five (5) school days following notification of the Superintendent's decision and shall be filed with the Superintendent. The grievance shall be accompanied by a true copy of the Superintendent's written decision, together with a true copy of all documents presented to or considered by the Superintendent in reaching his/her decision. No additional testimony or evidence will be heard or considered by the Board.
- (g) Within ten (10) days of the receipt of the student's grievance addressed to the Board, the Superintendent shall file with each member of the Board the student's grievance and supporting documents, together with the Superintendent's written response. The Superintendent shall cause the grievance to be considered at the next meeting of the Board at which time matters for consideration are included, and shall notify the student of the date, time, and place of such meeting. The Board will not consider any matters which were not previously raised in the grievance filed with the Superintendent.

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- (h) The Board may permit the student and/or his/her representative and the Superintendent to make a brief oral presentation to the Board. The order and time limits of the presentation shall be:
1. Student and/or representative (5 minutes);
 2. Superintendent and/or staff (5 minutes);
 3. Student response (3 minutes);
 4. Superintendent's response (3 minutes);
 5. Board questions;
 6. Student's closing comments (1 minute);
 7. Superintendent's closing comments (1 minute); and
 8. Board discussion and action.

The decision of the Board shall be final.

STATUTORY AUTHORITY: 1001.42 (2), 1001.42 (17), F.S.

LAWS IMPLEMENTED: 1006.07 (6) (d), F.S.

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Formerly: