

Board Policy Document

SCHOOL-COMMUNITY RELATIONS

Series 1000

Policy Title: District Conflict Resolution Process

Code Number: 1071

INTRODUCTION AND GENERAL PROCEDURAL MATTERS

Separate and distinct procedures are specifically provided by other Board policies and administrative regulations for conflict resolution on the following topics:

- Student Code
- High School Activity Code
- Middle School Sports Code
- Personnel Grievance Procedures (Policy 431)
- Temporary & Long Term Suspensions (Policies 502.2, 502.3)
- Complaints of Discrimination/Harassment (AR 103(b))
- Section 504 Plan (AR 103(c))
- Within District Transfers (AR 501.8)
- Weapons (AR 502.9)
- Anti-Harassment/Bullying (AR504.4)
- Special Education (AR 602.5)
- Instructional Materials (AR 603.10)
- Grading (AR 681.10)

On an issue falling outside this list of topics, students, parents and residents of the Sioux City Community School District who disagree with a decision of the District, or have a concern regarding the District or administration of its policies or practices, (hereinafter, the "Complainant"), may use the following procedures to resolve their concerns. Alternative or additional procedures may be initiated as deemed appropriate by the District.

First Adoption: October 11, 1994

Revision Adoption: August 12, 1997/December 14, 2004/September 8, 2008

Legal Reference:

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Reasonable efforts, by all concerned parties, should be made to informally resolve a dispute before using the procedures provided by this policy. Initial attempts should be made to resolve any problem with the employee closest to the problem, (i.e. classroom teacher, counselor, bus driver, food service supervisor, etc.), unless the problem involves an allegation of discrimination, harassment or bullying.

A student may be represented by an adult, including an attorney obtained at their own or their family's expense, at any level of the process.

Hearings, if any, at Levels One through Three, shall be governed by informal due process procedures chosen and modified, as necessary, at the sole discretion of the District. All proceedings shall remain confidential in nature for all parties involved. Notwithstanding the requirement of confidentiality, all parties understand and agree that District employees involved with or investigating a concern shall be allowed to discuss the matter with other District employees and, without disclosing protected information, shall be allowed to gather information from individuals outside the District, as necessary. Upon request of the District, the Complainant agrees to sign any necessary documents that would authorize the District to obtain information from outside sources.

For purpose of this policy, "days" shall mean school days. All timelines within this policy are intended as maximums. When possible, reasonable efforts should be made by all parties involved to resolve any issues as expeditiously as possible.

LEVEL ONE

A Complainant who has a concern shall request a conference with the appropriate building principal if there is one, or with the appropriate central office administrator, within fifteen days of the time the student, parent or resident knew, or should have known, of the event or series of events causing the concern. The principal, or central office administrator, shall schedule and hold a conference with the Complainant within seven days of the request. If compliance with this timeline is impractical, the principal or central office administrator, for good cause, may extend this timeline for an additional five days. The principal or central office administrator shall make a timely decision and shall inform the Complainant of their decision either orally or in writing.

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LEVEL TWO

If the outcome of the conference at Level One is not to the Complainant's satisfaction, and there are good faith grounds for doing so, the Complainant may request in writing in the Office of the Superintendent, within ten days, a conference with the Director of Elementary (for elementary students) or Secondary Education (for middle or high school students), as appropriate, or his or her designee, who shall schedule and hold a conference within ten days of receipt of the request. If the Complainant fails to make a timely request, the Level One decision shall be final. Prior to or at the time of the conference with the respective Director of Education or designee, the Complainant shall submit a written complaint that includes a statement of the complaint, any evidence in its support, including the names and addresses of all witnesses, copies of any documents they wish to submit, the solution sought, the Complainant's signature, and the date of the Level One conference. The Director of Education, or designee, shall make a timely decision and shall inform the Complainant of their decision either orally or in writing.

LEVEL THREE

If the outcome at Level Two is not to the Complainant's satisfaction, and there remain good faith grounds for doing so, the Complainant may request in writing in the Office of the Superintendent, within ten days, a Level Three conference. If the Complainant fails to make a timely request, the decision of the Director of Education, or designee, shall be final. The Superintendent, or designee, shall either schedule and hold a conference within ten days of receipt of the request, or refer the case for a Level Four Board hearing panel. If the Superintendent, or designee, elects to hold a conference, he/she shall make a timely decision and shall inform the Complainant of their decision either orally or in writing.

LEVEL FOUR

If the outcome of Level Three is not to the Complainant's satisfaction, and there remain good faith grounds for doing so, the Complainant may request in writing in the Office of the Superintendent, within ten days, a Level Four hearing. If the Complainant fails to make a timely request, the decision of the Superintendent, or designee, shall be final.

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If a Level Four hearing is timely requested, or the Superintendent, or designee, refers a Level Three request to Level Four, a Level Four hearing shall be scheduled at the earliest convenience of the Board. The Level Four hearing panel will consist of three board members appointed by the President of the Board.

The Complainant shall be notified of the date, time and place of the Level Four hearing at which the matter will be addressed, as well as any applicable procedural restrictions, including, but not limited to, time allowed for presentation. All documents submitted at prior levels shall be made available to the Level Four hearing panel by the Board Secretary in advance of the hearing. Subject to these restrictions, the Complainant shall have the opportunity to present testimony and documentary evidence and question witnesses. The District, generally through the appropriate building principal, or designee, will also have the opportunity to present testimony, documentary evidence and question witnesses. Each member of the hearing panel shall also be given the opportunity to question witnesses. The presiding officer shall have discretion to establish reasonable limits on these opportunities.

After the hearing, the hearing panel shall take whatever action it deems appropriate, including, but not limited to, continuing the proceeding to gather more evidence, delaying action, taking no further action, or specifically affirming, ratifying, or modifying the decision made at a lower Level. If the hearing panel decides to take no action the administrative decision at the previous Level shall be automatically upheld. Complainants should be aware that, with rare exceptions, the hearing panel most likely will not disturb a resolution of a dispute at a lower Level unless it raises a significant issue of Board policy. A policy issue might be involved because of (a) inconsistency between administrative decision and clear Board policy, (b) the need for a repeal or revision of a Board policy, or (c) the need for a new Board policy. The hearing panel will provide the student, parent or resident a written decision within 30 days after completion of the hearing. The decision of the Level Four hearing panel shall be final.

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Legal Reference: