

COMMUNITY RELATIONS

4105

Public Participation in Board Meeting

The Board of Directors encourages all patrons to express their school-related ideas and concerns in an appropriate manner and appropriate forum. The comments of the school's patrons will be given careful consideration. In the evaluation of such comments, first priority will be the school's students and their safety and educational program.

**NOTICE**

**DUE TO THEIR SENSITIVE NATURE, COMMENTS OR COMPLAINTS ABOUT PERSONNEL OR INDIVIDUAL STUDENTS WILL ONLY BE HEARD IN EXECUTIVE SESSION. Idaho Code § 67-2345.**

**“A PERSON WHO DISRUPTS THE EDUCATIONAL PROCESS OR WHOSE PRESENCE IS DETRIMENTAL TO THE MORALS, HEALTH, SAFETY, ACADEMIC LEARNING OR DISCIPLINE OF THE PUPILS OR WHO LOITERS IN SCHOOLHOUSES OR ON SCHOOL GROUNDS, IS GUILTY OF A MISDEMEANOR.” Idaho Code § 33-512 (11).**

Any complaint about the Charter School, including instruction, discipline, school personnel policy, procedure, or curriculum, should be referred through proper administrative channels before it is presented to the Board for consideration and action. All complaints should be resolved through proper channels in the following order:

1. Teacher or staff;
2. Principal or supervisor;
3. Board of Directors.

At select meetings of the Board the agenda will provide time for public comment before the Board. Persons wishing to address the Board will be required to submit a “REQUEST TO APPEAR BEFORE THE BOARD” form. Forms are available from the Board Secretary and will be available at each meeting.

Directors volunteer to serve in such capacity and the school takes great efforts to respect the time constraints and expended by Directors for school purposes. Accordingly, while the school takes all public comments seriously it is recognized that a meeting of the Board does have time limitations. Public participation will be limited to the time allotted on the agenda. Each speaker will be limited to Three (3) minutes. All speakers will be allowed to speak once to the Board unless otherwise requested by the Board to provide additional input. Public comment may be taken from the public on matters scheduled on the agenda. Should a large number of the public

wish to speak on the same issue or topic, members of the public shall be encouraged to select a representative(s) to summarize their position. Additionally, the Board Secretary will accept written comments for distribution to the Board.

Written materials for Board Members must be submitted to the Board Secretary. The written material must include the name, address, and telephone number of the person submitting it. A copy of the materials that meet these requirements will be forwarded to Board Members if received by noon the Friday preceding the Board Meeting. Materials **should not** be sent directly to Board Members. Materials may be presented or mailed to the Board Secretary.

If a topic is being considered by a committee established for that purpose, the Chair may refer the public comment to that committee.

Because of the diversity of issues, members of the Board will not respond to public comment. Instead, issues may be referred to the proper staff person for follow-up. The Chair may interrupt or terminate an individual's statement when it is too lengthy, personally directed, abusive, obscene, repetitive, a subject matter for executive session or irrelevant. The Board of Directors as a whole shall have the final decision in determining the appropriateness of all such rulings.

If a special meeting has been held to obtain public comment on a specific issue, the Chair of the Board may not recognize speakers wishing to comment on the same topic at a regular meeting of the Board.

Legal Reference:	I.C. § 33-512 (11)	Governance of Schools
	I.C. § 67-2345	Executive Sessions—When Authorized

Policy History

Adopted on:

Revised on:

## Victory Charter School

### COMMUNITY RELATIONS

4120

#### Uniform Grievance Procedure

It is the Board's desire that administrative procedures for settling complaints and grievances of any and all persons (i.e., staff, students, patrons, hereinafter "Grievant") be an orderly process within which solutions may be pursued. Further, that the procedure provide prompt and equitable resolution at the lowest possible administrative level. Additionally, it is the Board's desire that each grievant be assured an opportunity for orderly presentation and review of complaints without fear of reprisal.

#### Grievance Procedure

This grievance procedure should be followed if a grievant believes that the Board, its employees or agents have violated the grievant's rights guaranteed by the State or federal constitutions, State or federal statutes, or Board policy.

The Charter School will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

**Level 1: Informal:** A grievant with a complaint is encouraged to first discuss it with the teacher, counselor, or administrator involved, with the objective of resolving the matter promptly and informally. An exception is that complaints of sexual harassment should be discussed with the first line administrator that is not involved in the alleged harassment.

**Level 2: Administrator:** If the complaint is not resolved at Level 1, the grievant may file a written grievance stating:

1. The nature of the grievance; and
2. The remedy requested.

It must be signed and dated by the grievant. The Level 2 written grievance must be filed with the Administrator within sixty (60) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

If the complaint alleges a violation of Board policy or procedure, the Administrator shall investigate and attempt to resolve the complaint. If either party is not satisfied with the Administrator's decision, the grievance may be advanced to Level 3 by requesting in writing that the Board review the Administrator's decision. This request must be submitted to the Board within fifteen (15) days of the Administrator's decision.

If the complaint alleges a violation of Title IX, Title II, Section 504 of the Rehabilitation Act, or sexual harassment, the Administrator shall turn the complaint over to the Nondiscrimination Coordinator who shall investigate the complaint. The Charter School has appointed Nondiscrimination Coordinators to assist in the handling of discrimination complaints. The Coordinator will complete the investigation and file the report with the Administrator within thirty (30) days after receipt of the written grievance. The Coordinator may hire an outside investigator if necessary. If the Administrator agrees with the recommendation of the Coordinator, the recommendation will be implemented. If the Administrator rejects the recommendation of the Coordinator, and/or either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within fifteen (15) days of receiving the report of the Coordinator to the Board for a hearing.

**Level 3: Superintendent:** Upon receipt of the request for review, the Superintendent shall schedule a meeting between the parties and the principal. The parties shall be afforded the opportunity to either dispute or concur with the principal's report. The Superintendent shall decide the matter within ten (10) days of the meeting and shall notify the parties in writing of the decision. If the Superintendent agrees with the recommendation of the principal, the recommendation will be implemented. If the Superintendent rejects the recommendation of the principal, the matter may either be referred to an outside investigator for further review or resolved by the Superintendent.

If either party is not satisfied with the decision of the Superintendent, the Board is the next avenue for appeal. A written appeal must be submitted to the Board within fifteen (15) days of receiving the Superintendent's decision. The Board is the policy-making body of the school, however, and appeals to that level must be based solely on whether or not policy has been followed. Any individual appealing a decision of the Superintendent to the Board bears the burden of proving a failure to follow Board policy.

**Level 4: The Board:** Upon receipt of a written appeal of the decision of the Superintendent, and assuming the individual alleges a failure to follow Board policy, the matter shall be placed on the agenda of the Board for consideration not later than their next regularly scheduled meeting. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The decision of the Board will be final.

Policy History:

Adopted on:

Revised on:

## Victory Charter School

### COMMUNITY RELATIONS

4150

#### Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities on a basis equal to those without disabilities and will not be subject to illegal discrimination.

The Charter School may provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

The school Administrator is designated the Americans With Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee the District's compliance efforts, recommend necessary modifications to the Board, and maintain the District's final Title II self-evaluation document and keep it available for public inspection for at least three (3) years after its completion date [**For districts having fifty (50) or more full- or part-time employees**].
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Administrator if they have a disability which will require special assistance or services and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Administrator, as the Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

The Charter School will provide the parent or guardian of each student who has a disability with a copy of the Procedural Safeguards Notice available on the website of the Idaho State Department of Education. This notice will be provided one time each year. It will also be provided, as outlined in 34 C.F.R. 330.504(a), upon initial referral or parental request for an evaluation, upon filing a request for a due process hearing, upon a disciplinary action constituting a change in placement, and upon the request of a parent or guardian. The notice must be provided in the parent or guardian's native language unless it is not feasible to do so.

Legal Reference: Americans with Disabilities Act, 42 U.S.C. §§ 12111, et seq., and 12131, et seq.; 28 C.F.R. Part 35.

Individuals with Disabilities Education Act, 20, U.S.C. §§ 1415  
Procedural Safeguards Notice, 34 C.F.R. § 300.504

Policy History:

Adopted on:

Revised on:

## Victory Charter School

### COMMUNITY RELATIONS

4400

#### Relations with the Law Enforcement and Child Protective Agencies and Reporting Obligations

The primary responsibility for maintaining proper order and conduct in the schools belongs to the staff.

Staff shall be responsible for holding students accountable for infractions of school rules, which may include minor violations of the law occurring during school hours or at school activities.

Law enforcement is responsible for holding students accountable for violations of state and federal law. Examples of where such instances could occur include, but are not limited to:

- Illegal drug possession, distribution or use
- Weapons possession or use
- Bomb threats
- Serious threats to the health and safety of other students or adults
- Threats of violence
- Sexual abuse
- Serious thefts or damage to property

There will be situations where there is an overlap of school accountability and law enforcement accountability for the same act. The school's administrative personnel shall take all best steps to assure that they do not interfere with a law enforcement investigation or possible prosecution of a crime.

Pursuant to the Idaho Child Protective Act, all school personnel who have reason to believe that a child under the age of eighteen (18) has been abused, abandoned or neglected or who otherwise observes a child being subjected to conditions or circumstances which would reasonably result in abuse, abandonment or neglect shall report or cause to be reported, within twenty-four (24) hours the conditions or circumstances giving rise to such to law enforcement or the Department of Health and Welfare. Failure to make such a timely reporting is a misdemeanor.

Pursuant to Section 33-512B, Idaho Code, if any school employee has knowledge of direct evidence the suicidal tendency of a student the employee must report such knowledge to the school's principal. Thereafter, the school's principal and the school employee shall jointly contact the student's parent to address such concern. For the purpose of this policy and the applicable law, direct evidence means any evidence which directly proves a fact without inference and which in itself, if true, conclusively establishes that fact. Such would include unequivocal and unambiguous oral or written statements by a student which would not cause a reasonable teacher to speculate regarding the existence of the fact in question.

The District shall strive to develop and maintain cooperative working relationships with the law enforcement agencies. Procedures for cooperation between law enforcement, child protective,

and school authorities shall be established. Such procedures shall be made available to affected staff and periodically revised.

Legal Reference: I.C. § 33-205 Denial of School Attendance  
I.C. § 33-1605 Reporting of Abuse, Abandonment or Neglect

Policy History:

Adopted on:

Revised on: