

Union County Board of Education Policy Manual
4-18 Appeals Policy

This policy provides parents/guardians/custodians and students procedures for appeals of decisions made by a school official (teacher, administrator, or other support personnel). Parents who have difficulty preparing appeals because of writing or language difficulties shall receive assistance upon request. Such appeals shall be governed by the following procedures:

- A. **School Level Appeals** – Appeals of decisions made at the school level should begin at that level. Such appeals shall be made to the principal within 30 days of the school-based decision giving rise to the concern. The school administration will respond to such appeals within 10 calendar days of receiving notice of appeal.
- B. **Superintendent Level Appeals** – If the matter is not resolved at the school level, the parent/guardian/custodian and/or student may file an appeal with the Superintendent. Such appeals shall be made in writing and mailed or hand delivered to the Superintendent's office not later than 15 calendar days after the notice of the school's decision. The Superintendent will respond to such appeals in writing, within 10 calendar days of receiving notice of appeal.

At the discretion of the Superintendent/designee a panel may be appointed to review short-term suspensions (10 days or less; 6 days or less for condensed academic terms). Further information will be provided to the parents/students prior to such a review.

- C. **Board Level Appeals** – If the matter is not resolved at the Superintendent's level, the parent/guardian/custodian and/or student may request an appeal to the Board of Education. Such appeals should be made in writing and mailed or hand-delivered to the Superintendent within 15 calendar days of being notified of the Superintendent's decision. All hearings will be heard by Board panels except when a full Board hearing is required by law. Board panel decisions represent the full board and as such are not appealable to the full Board.

The Board of Education will hear appeals regarding:

- 1. The assignment of a long-term suspension (more than 10 days; more than 6 days for condensed academic terms) to or the expulsion of a student Article 27 of Chapter 115C of the North Carolina General Statutes. Parents/guardians/custodians and/or students may appear before the Board panel to present their case in closed session. Legal counsel may be present.

Expulsion hearings will be heard by the full Board in closed session.

Parents/guardians/custodians and/or students may appear before the full Board to present their case, and may be represented by a licensed attorney at law.

- 2. School Assignment Decisions, G.S. 115C-369

Appeals of school assignments will be considered by the Board in closed session. Parents/custodians/guardians and/or students may submit written documentation or sworn affidavits to support their case, but they will not appear before the Board.

- 3. Loss of credit or retention due to number of absences – Union County Public Schools Attendance Policy 4-1(a), (b), (c).**

Appeals of loss of credit or retention due the number of absences will be considered by the Board in closed session. Parents/ guardians/custodians and/or students may submit written documentation or sworn affidavits to support their case, but they will not appear before the Board.

- 4. Driver's license revocations, G.S. 20-11(N)(1).**

Appeals of driver's license revocations will be heard by the Board in closed session. Parents/guardians/custodians and/or students may submit written documentation or sworn affidavits to support their case, but they will not appear before the Board.

The Board will not hear appeals regarding the following subjects absent an alleged violation of specified law or policy:

- A student's grade in a course or on a test.**
- A decision regarding participation in extra-curricular activities.**
- A student's schedule or the teacher assigned to teach that class.**
- The classification of a student's absences as lawful or unlawful.**
- Participation in commencement or promotion exercises.**
- Short-Term Suspensions and any other disciplinary consequences which do not result in a removal from school.**

In its sole discretion, the Board may choose to hear other appeals.

Legal Reference 115C-45 (c), 115c 392

N.C.G.S. Chapter 115C, Article 27

N.C.G.S. 115C-369

N.C.G.S. 20-11(N)(1)

Cross Reference Board Policy 1 - 11, Closed Sessions

Board Policy 4 - 1(a), Elementary School Attendance

Board Policy 4 - 1(b), Middle School Attendance

Board Policy 4 - 1(c), High School Attendance

Board Policy 4 - 3, Code of Student Conduct

Board Policy 4 - 3(a), Student Discipline-Elementary School

Board Policy 4 - 3(b), Student Discipline-Middle & High School

Board Policy 4 - 13, School Assignment

Union County Board of Education

Approved 11/12/2002

Revised 08/02/2011

09/16/2008