

LYNDHURST BOARD OF EDUCATION
Lyndhurst, N.J. 07071
Policy

File Code: 5145.6

PUPIL GRIEVANCE PROCEDURE

Each school shall establish procedures for the consideration of pupil problems and for the processing of their complaints and appeals. These procedures should be developed through the cooperative efforts of pupils, faculty and administrators. The chief school administrator or designee shall establish and maintain procedures for appeals beyond the decision of the principal. Details of those procedures should be made known to pupils and staff, and pupils who wish to use them should be assured of access to the appropriate personnel within a reasonable period of time.

Date: January 10, 1984

Revised: March 13, 1995

Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

New Jersey State Board of Education Resolution, September 3 1980, encourages development of local written policy on pupil conduct.

New Jersey State Department of Education, Handbook for Developing a Code of Conduct for Students, February 1981

Possible Cross References:

1251 Loitering or causing disturbance
*1312 Community complaints and inquiries
*5113 Absences and excuses
*5114 Suspension and expulsion
*5131 Conduct/discipline
5131.4 Campus disturbances
*5145.4 Equal educational opportunity

*Indicates policy is included in the Critical Policy Reference Manual.



LYNDHURST PUBLIC SCHOOLS
281 Ridge Road
Lyndhurst, NJ 07071
(201) 438-5883

PUPIL GRIEVANCE

A. Definition of Terms:

A "complaint" is defined as a disagreement or dissatisfaction based on any event or condition which affects the welfare or learning conditions of a student or group of students. The complaint is to be presented informally to a teacher, guidance counselor, or principal. A complaint may become a grievance if left unresolved.

A "grievance" within the meaning of the policy is a formal written claim by a student or group of students that the student or group of students is aggrieved by reason of the application of any school rule or regulation, or of an order of any teacher, or by reason of any alleged deficiency in the school system which requires remedial action, provided that this section shall not apply to any matter for which a method of review is prescribed by law.

The word "teacher" shall include any member of the professional staff of the school unless the context indicates otherwise.

B. Complaint:

Any student or body of students shall have the right to present a complaint informally at the teacher, or guidance counselor level. An attempt should be made to resolve the complaint informally to the satisfaction of all parties concerned.

C. Grievance

Whenever any student feeling aggrieved has attempted to use the informal complaint procedure but without success, or whenever he/she believes such procedure is inappropriate or impractical, he/she may proceed formally with a grievance in the following manner:



1. Grievance shall be reduced to writing and shall set forth the specific nature of the grievance, relief desired, a listing of persons concerned with the said grievance, and the reasons why the student feels he/she is entitled to the relief sought.

2. A committee shall be established by and/or in conjunction with the student council for the purpose of receiving and forwarding the grievance. A copy of the grievance shall also be delivered to those persons stated and involved in the grievance.

If the grievance is against a teacher, then a copy of same shall be delivered to the principal. If the grievance is against the school principal, then a copy will be forwarded to the Superintendent.

3. Within five days after receipt of the grievance by the committee, that body shall set forth in writing its comments and recommendations relative to the grievance and shall forward copies of its comments to all concerned.

Within five days thereafter, the student and/or teacher shall have the right to file written exceptions with the principal to the recommendations of the student council.

4. Within five days after the receipt of the comments by the student council and/or any exceptions to these comments, the principal shall arrange for and hold a hearing at which there shall be present all parties listed in the formal complaint, and no more than three student council members, for the purpose of informally discussing the matter in an attempt at resolving the grievance.

5. Within five school days after the hearing, the principal shall, in writing, make a determination and recommendation and shall forward copies to the Superintendent, the student council, and to the parties concerned in the written grievance.

6. If any party is dissatisfied with the determination and recommendations of the principal, they shall, within 10 days of receipt of the report, set forth in writing their reasons to each other and to the principal and Superintendent.

7. Upon receipt of the report from the principal together with any written objections, the Superintendent shall, if within the scope of his/her authority, make a final determination or, in the event that it is a matter on which the Board of Education is required to act, he/she shall make his/her recommendation to the Board in writing within five days after receipt of the above mentioned writings.

Copies of his/her determination and recommendations shall be given to all parties concerned in the proceedings.

8. Any student who has participated in the proceedings and who is dissatisfied with the results shall have the right to request a hearing before the Board of Education.

Date: January 10, 1984

Revised: March 13, 1995