

Procedures to Review Complaints

Promontory School welcomes suggestions, comments and/or complaints from parents or other stakeholders of the school as a means to improve policy and procedures. We encourage all such communication to include not only grievances, but also alternative solutions. We have designed a complaint procedure with both due process and timeliness in mind.

At Town Meetings, held each trimester, students, parents and community members will have the chance to meet and mingle at the school with the Governing Board. This will be an open forum for parents or other stakeholders to communicate any concerns or suggestions.

Complaints may also be heard during the public comment session of monthly Board meetings. These meetings are open to the public and well publicized. Parents, teachers, students and members of the community are encouraged to attend and give comment.

Families will also be encouraged to email Board members with comments if they desire.

Parents will have access to the Parent Liaison, a non-voting member of the Governing Board, who is nominated yearly to represent parents at Board meetings (for more details, see section 18). The Parent Liaison will have the dual role of communicating to parent crews the needs and desires of the Governing Board, as well as being available to work with parents who wish their own concerns to be heard at Board meetings. While all parents are invited to attend open Board meetings, it can be helpful to parents to have an advocate sitting on the Board as well.

Promontory School will develop a procedure to log and track complaints.

In the event a concern regarding the operation of the school remains unresolved, the following protocol shall be used in a timely and fair way:

1. Unresolved concerns should be made known to the Director first. This may be done by appointment in person or in writing. The Director will be able to address most concerns. The Director may defer to the Board if changes are required in policy. *In cases where the safety or health of students or staff is involved, immediate action will be taken. The Director and Board Chair will determine an appropriate course of action in these cases.*
2. If the concern remains unresolved, the parent may contact the Board Chair or Parent Liaison either in writing or in person. The issue may then be put on the agenda of the next board meeting at the discretion of the Board.
3. The Board will determine whether any action should be taken on the item and report back to the concerned party. Promontory School will make every effort to resolve concerns within two regularly scheduled Board meetings.

Promontory School follows all state laws regarding complaints of parents of students served under Section 504 or IDEA 2004, and seeks to align all school procedures to the mission of the school. Parents who have concerns regarding the treatment of a student with disabilities or a student suspected of having a disability may contact the school Director.

The following four procedures briefly describe Utah's Dispute Resolution System available to parents of students with disabilities under IDEA:

1. Problem Solving Facilitation
2. Formal State Complaint
3. Mediation
4. Due Process Hearing

These procedures are not sequential. However, Problem Solving Facilitation CANNOT proceed if a Formal Complaint, Mediation, or Due Process Hearing request is filed. A Formal Complaint CANNOT proceed if a Due Process Hearing request is filed.

1. Problem Solving Facilitation

- State early dispute resolution procedure available at any time, before a State Complaint, Mediation, or Due Process Hearing request is filed.
- Both parties must agree.
- Issues of disagreement must be specified, and how they violate IDEA described.
- No timeline.

2. State (Formal) Complaint

- Filed with School Director and copied to Utah State Office of Education, Nan Gray, State Director of Special Education.
- State Complaint Form on website or may be a letter with required elements
- Describe alleged violations of IDEA with respect to individual student.
- Describe proposed solutions to the problems.
- Charter School has 30 days to investigate and write decision.
- Parent may appeal decision to USOE within 10 days of Charter School decision if disagree.
- USOE completed independent investigation before total of 60 days, unless parties agree to extend for some significant reason.

3. Mediation

- Any party may request at any time during the IDEA process.
- Both parties must agree to mediate or mediation will not occur.
- Filed with Charter School Director and copied to Utah State Office of Education, Nan Gray, and State Director of Special Education.
- Describe the problem.
- Describe alleged violations of IDEA with respect to individual student.
- Describe proposed solutions to the problems.
- USOE assigns mediator and absorbs costs of the mediation sessions.
- Attorneys not usually present.
- Discussions during mediation confidential.
- Mediation agreement is binding and may be enforced in court of law.
- No timeline.

4. Due Process Hearing Request

- Filed with Charter School Director and copied to Utah State Office of Education, Nan Gray, and State Director of Special Education.
- Describe problems.
- Describe alleged violations of IDEA with respect to individual student.
- Describe proposed solutions to the problems.
- Mandatory Resolution Session initiated within 15 days; resolution completed within 30 days, if resolution is possible.
- Hearing completed within 45 days; timeline starts after resolution session time is completed. Due Process Hearing is like court; rules of evidence, witnesses sworn in, procedures during hearing.
- It is advisable for both parties to have attorneys.
- Hearing Officer Decision binding upon both parties.