

Pataula Charter Academy and Spring Creek Charter Academy Formal Appeals Policy

Purpose: The purpose of this policy is to provide guidelines for parents for filing an appeal to the Pataula Charter Academy, Incorporated Governing Board on decisions made by the school concerning student placement or discipline.

Policy Statement: Parents have the right to appeal school related decisions with which they do not agree. Parents shall be assured the opportunity for an orderly appeal process and timely review of concerns which will not interfere with regular scheduled classes or school related activities.

Process for Presenting an Appeal:

1. Parents wishing to appeal a school decision concerning student placement or discipline must contact the Governing Board chair with a request to be added to the agenda. Request for appeals must be made within 20 days of the decision to be appealed. Appeal request made beyond the 20 days will not be heard.
 - **Email Submissions**
E-mail submissions are preferable. The e-mail address for the Board Chairman will be posted in the PCA/SCCA main office as well as on the PCA/SCA website.
 - **Written Submissions**
Should the parent be unable to e-mail his/her request a written request may be submitted to the Board Chairman, the CFO, or the Superintendent. The CFO or Superintendent shall notify the Board Chairman of such submission in a timely fashion. Written requests shall be submitted in a sealed envelope labeled as follows:

Formal Appeal to Governing Board
Speakers Name
Date Submitted

2. Appeal request should include the following information:
 - Parent Name and Contact information
 - Student Name and Grade Level
 - An explanation of the decision that is being appealed
 - An explanation of why you are appealing the decision
 - A list of witnesses to speak at the appeal hearing (if applicable)
 - A statement that you will be represented by legal counsel (if applicable)
3. The Governing Board Chair will respond within 3 business days of receiving the request to let you know when the Board will hear the matter. Most appeals will be heard at the next regularly scheduled Board meeting. If the matter is a timely issue, the Chair may request a Called Meeting.
4. At the appeal hearing parents will have 10 minutes to present. Witnesses may be called if they were listed in the appeal request. The school will have 10 minutes to present after the parent. Governing Board members may also ask clarifying questions after presentations. In the event of tribunal appeals, no new evidence will be allowed to be presented UNLESS such evidence was discovered AFTER the initial tribunal. All parties must be notified of new evidence prior to the appeal hearing. Recordings of prior proceedings leading to the decision being appealed may be aired at the appeal hearing. (The times of the recordings will not be included in the time for presentations.)

5. Parents have the right to have legal representation at the appeal hearing. However, if the parents intends to bring legal representation that information must be included in the appeal request. This is so that the Governing Board can arrange for their legal counsel to attend as well. If a parent brings legal counsel, but did not inform the Board of their intent to do so, the appeal hearing will be postponed.

Reponses to the Appeal:

1. Due to FERPA laws, all student placement and discipline appeals will be heard in a closed Executive Session. After hearing the parent's appeal and the school's response, both parties will be asked to leave for the Board to deliberate the matter.
2. Parents will be notified of the decision by the Governing Board Chair the next day by phone and will also receive an official letter with the decision by mail.
3. Decisions rendered by the Governing Board shall be considered final.

Decorum for Presenting to the Board:

1. Communication **MUST** be respectful and in a conversational tone at all times.
2. Presenters are cautioned that personally directed statements may be slanderous or defaming, and the individual speaker is liable for his/her statements.
3. The Governing Board Chair has the authority to table any meeting considered to be unproductive, threatening, hostile, inappropriate, or lacking appropriate representation.

Adopted: 7/30/18
Amended: 3/26/19