

NOCCS Grievance Procedure Passed 12-2012

NOCCS's grievance procedure is designed to address complaints related to a NOCCS employee or trustee, and/or the school's policies, practices or curriculum. The grievance procedure may be used by a NOCCS employee, parent, or trustee.

Procedure:

1. Our community encourages honest, face-to-face communication. If a member of the NOCCS community is concerned with someone or some group's behavior, it's best to first communicate your concern directly to the person or group concerned using the communication guidelines and protocols outlined in NOCCS Student-Family Handbook. Upon request, this discussion can be facilitate

2. If there is an unsatisfactory resolution, then the complainant must communicate his/her grievance to the NOCCS Director. This communication may be submitted in person or writing. Depending on the nature of the complaint, the Director may choose to address this directly or to designate another NOCCS employee or trustee to address the issue.

a. If the complaint is about the Head of School – go right to step 3.

3. If the complainant is not satisfied with the Head of School's resolution of the grievance or if the grievance is about the Head of School, the complainants can request the Board to review the complaint subject to the following procedures and guidelines:

- a. If the complaint is about someone other than the Head of School, the complainant shall provide a written statement to the Board requesting a review of the grievance and explaining the reason(s) for the requested review. The Board shall review the Head of School's decision and actions regarding the complaint to ensure that:
 - a. The Head of School followed all applicable laws and regulations;
 - b. The Head of School followed all stated school policies and guidelines;
 - c. The Head of School's findings of fact are supported substantial evidence; and,
 - d. The Head of School's decision is reasonable.
- b. The Board shall appoint a person or committee to conduct this review and report back to the full Board for a decision.
- c. The Board shall request the complainant and the Head of School to provide a written statements
- d. If the full Board finds that the Head of School's investigation followed all applicable laws, regulations, policies and guidelines, that the Head of School's findings of fact are supported by substantial evidence, and that the Head of School's decision is reasonable, the Board affirm the Head of School's decision and consider the matter closed.
- e. If the full Board finds that the Head of School failed to follow applicable laws or regulations or failed to follow school procedures guidelines, which failure shall be termed a "procedures failure," the Board shall instruct the Head of School to conduct a new grievance procedure to cure these procedural defects except that the Board can find any procedural defects to constitute "harmless error" that does not require further investigation.
- f. If the full Board finds that the Head of School's findings of fact are not supported by substantial evidence or that the Head of School's decision was not reasonable, the Board shall conduct a de novo review of the grievance subject to the procedure set forth below.

4. The NOCCS Board will appoint a person or persons to tailor a process for resolving the complaint that best leads to its resolution within the guidelines described here.

5. The Board's appointees will review the grievance and request a written response from the party against whom the grievance has been made. The written statements will be given to both parties. (If the party against which the grievance has been made chooses not to participate, the grievance process may still proceed.)
6. The Board's appointees will investigate the complaint. They may interview the parties, request a face-to-face meeting, request additional information, or devise other ways of investigating the complaint.
7. The Board's appointees will report their findings to the Board, and whether the complaint has merit. If they discover that the grievance is well founded they will recommend corrective action.
8. The NOCCS Board is the final arbitrator and has the final decision in any grievance. Based on the findings of its appointees, the Board will decide what, if any, steps to take.

NOCCS Uniform Complaint Procedures Version Passed 12-2011

Below you will find the Notice to Students of Uniform Complaint Procedures, provided to families annually as required by State law.

Annual Notice to Students of Uniform Complaint Procedures

The purpose of this notice is to inform you of your right to file a complaint about certain matters. The school has different procedures for handling different kinds of complaints. Please read the following carefully and see the Director of Dean of Students if you have questions about this information:

You may complain to the Head of School concerning a lack of textbooks, a teacher who does not have the credential to teach a class, or a condition of the school grounds or buildings that poses a safety threat. There is a complaint form that must be completed. The form will be provided to you. You may obtain assistance completing the form. If your complaint is valid, the school must correct the situation within 30 work days. You are also entitled to a written response within 45 work days of submitting your complaint.

Complaints concerning discrimination against a student based on age, sex, sexual orientation, ethnic group, race, ancestry, national origin, religion, color, mental disability, or physical disability are filed first with the Head of School and then with the NOCCS Board of Directors. There are also laws and regulations that the governing board is required to follow in special programs, such as Special Education. If you believe the school is not following those laws, you may file a complaint with the Head of School. This person can assist you in obtaining the complaint form. You may obtain assistance completing the form. The school will forward the written complaint to the NOCCS Board in accordance with law, who must give you a written response in 60 calendar days.

For all complaints, there are procedures for appealing the decision of the Head of School. Please consult the NOCCS Grievance Procedure for more details concerning your appeal rights and the process for lodging complaints. Requests for copies of charter school governing board Policies and Administrative Regulations may be made to the Head of School or through the office located at 1000 42nd Street, Oakland, CA 94608.

NOCCS Uniform Complaint Form

Name:

Date:

My complaint is related to one or more of the following:

- Lack of textbooks
- Lack of appropriate credentialing for my child's teacher
- Condition of school grounds or building that poses a safety threat
- Discrimination against a student based on age, sex, sexual orientation, ethnic group, race, ancestry, national origin, religion, color, mental disability, or physical disability.
- Issues related to Special Education
- Other (please explain)

Please provide us with the necessary background and details to understand your complaint:

- I have reviewed and understand the NOCCS Uniform Complaint Procedure and the NOCCS Grievance Procedure.

Signature

Date

FOR OFFICE USE ONLY

Date Received: By: