

APPEAL PROCESS

INFORMAL APPEAL PROCESS:

Students or their parents/guardians can appeal disciplinary decisions that would change a student's placement greater than 10 days. Appeals are not allowed for a suspension less than 10 school days.

If your child is recommended by a school director for a change of placement greater than 10 days, you may informally appeal to the Executive Administrator (SEE BOTTOM FOR CONTACT INFORMATION) in writing within 5 days of the recommendation/decision by the school director or designee. The appeal process with names and contact information will be given to you at the hearing when the decision to change your child's placement greater than 10 days has been recommended. You will then have 5 days from the receipt of that information to informally appeal to the Executive Administrator.

Within 5 days of receipt, the Executive Administrator will notify you of his/her decision. If you are unsatisfied with the Executive Administrator's decision, you can formally appeal to the Board of Directors by writing the board secretary with 10 days of receipt of the Executive Administrator's decision. The board of director's decision is final and cannot be appealed.

FORMAL APPEAL PROCESS:

If the informal discussion fails to produce an agreement, then the student or his or her parents or guardian may formally appeal the disciplinary decision to the board secretary (SEE BOTTOM FOR NAMES AND CONTACT INFORMATION). The appeal must be made in writing within 10 working days of receiving the final disciplinary decision and must cite a specific problem or oversight that resulted in an inappropriate disciplinary decision in one of the following areas: a) the Incident Report, b) the adjudication of the behavior as a Level 1 - 5 infraction, and/or c) the disciplinary decision.

DUE PROCESS APPEAL:

Due process is a final administrative procedure to protect the right of the student when a problem arises. A due process review of a disciplinary decision is the final review that can occur and can be made for procedural reasons (a review of whether a disciplinary decision was made following the procedures and policies of the institution) or substantive reasons (a review of whether the decision was fair and consistent with previous decisions).



Fred Donaldson, Executive Administrator

If a student or his or her parent/guardian remains unsatisfied after the informal AND formal appeal process, a due process review can be requested in writing. The request must specify the reasons (procedural, substantive or both) for the due process appeal and must be sent to the Executive Administrator within 5 working days of the conclusion of the formal appeal process.

The Executive Administrator will investigate the concern and make one of two decisions.

First, no due process violation occurred and the disciplinary decision may be upheld on both procedural and substantive requirements, resulting in the end of the appeal process.

Second, there were due process violations and the case will be sent back to the administration with a directive to review the case following the procedures and policies of the institution according to State and Federal Law.

CONTACT INFORMATION:

Executive Administrator:

Fred Donaldson

email: Fred.Donaldson@davinciacademy.org

Phone: 801-409-0708

Board Secretary:

Leah Murray

email: Leah.Murray@davinciacademy.org