

| <b>TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION</b> |                                     |  |
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| <b>GRIEVANCES AND COMPLAINTS</b>                  |                                     | <b>1200</b>                            |
| <b>ADOPTED:</b><br>February 5, 2021               | <b>REVISED:</b><br>January 26, 2024 | <b>MONITORING:</b><br>Review: Annually |

Each authorized charter school shall adopt a policy and/or procedure for receiving and addressing complaints or grievances from employees, parents/guardians, or students. The governing board of each charter school shall be the first avenue for response in any complaints or grievances filed against the charter school, its employees, or its volunteers, and the policy and procedures shall be included in the student handbook and made available to students, parents/guardians, employees, and any other person who requests it.

The grievance and complaint policy for each authorized charter school shall include the procedure for submission of a grievance or complaint against the charter school, its employees, or its volunteers. Also, the grievance and complaint policy shall include the escalation process from the school level, then to the charter management organization/network level (if applicable), and then to the governing board of each charter school. The steps for grievance/complaint submission shall include, but are not limited to:

- The point of contact for submitting the grievance or complaint at each level;
- The method(s) by which a grievance or complaint can be received at each level; and,
- The timeline for a determination decision at each level.

If grievances persist following the actions of the governing board of the charter school, or if the complaints are with regard to alleged violations of law, the charter agreement, the improper discipline of a special education student (including violations of the Individuals with Disabilities Act (IDEA) or applicable state or federal law or regulation), or any other topic listed below, the Commission may investigate.

**Complaints and Grievances Handled by the School.** The following are examples of complaints or grievances that are at the discretion of the school and areas in which the Commission cannot mandate decisions:

- (1) Employment issues;
- (2) Transportation issues (except with regard to students experiencing homelessness, students with disabilities, or students in foster care);
- (3) Disagreement with a teacher or a student;
- (4) Bullying issues (excluding bullying that rises to the level of a civil rights issue under Title IX or VI, or bullying on the basis of a disability under the Americans with Disabilities Act (ADA)); and
- (5) Disagreement over a discipline decision (excluding the discipline of students with disabilities, including students with Individualized Education Programs (IEPs) or 504 Plans).

The school shall follow its adopted policies and procedures for handling complaints and grievances.

**Complaints and Grievances Handled by the Commission.** In some instances, Commission may investigate complaints or grievances regarding an authorized school. A formal complaint or grievance to the Commission may include, but is not limited to allegations regarding the following:

- (1) Violations of the law;
- (2) Violations of the charter agreement;
- (3) Violations of special education rights, including discipline;
- (4) Child abuse;
- (5) Serious health, safety, and legal issues;
- (6) Suggestions that a student transfer or enroll at a different school; and
- (7) Title VI and Title IX (civil rights) claims and ADA/Section 504 claims.

A formal complaint to the Commission must:

- (1) Identify the school(s) involved in the issue;
- (2) Clearly describe the grievance or complaint and provide any corresponding documentation supporting the issue;
- (3) Provide details of how the individual attempted to resolve the issue with the school or governing board, if applicable; and
- (4) Be filed within 180 days of the alleged violation, unless the Commission determines that special circumstances exist to allow the filing of the complaint or grievance.

Within seven (7) business days, the Director of Schools or his/her designee will determine whether or not the grievance or complaint is properly before the Commission or if it needs to be resolved with the school, and the Director of Schools or his/her designee will notify the complainant of this decision in writing. If it is determined that the complaint or grievance is properly before the Commission, the Commission will address the complaint or grievance within thirty (30) calendar days, unless special circumstances exist. If special circumstances exist, all parties will be notified.

If a school is found to have committed a violation, it may trigger interventions by the Commission in accordance with Commission Policy 3.400.<sup>1</sup>

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Legal References:

<sup>1</sup> Commission Policy 3.400

Cross References:

Special Education/Individuals with Disabilities  
Education Act (IDEA) 1801  
Americans With Disabilities Act (ADA) and Section  
504 1802  
Attendance 6200  
Bullying, Cyber-bullying, Discrimination, Harassment,  
And Hazing 6304  
Required Remands and Student Disciplinary Hearing  
Authority 6317  
Complaint/Grievance Procedures

Filing a complaint under this policy shall not serve as a prerequisite to any legal or other administrative action that the complainant may choose to pursue, including, but not limited to any complaint under Policy 1801 - Special Education/Individuals with Disabilities Education Act (IDEA), 1802 - Americans with Disabilities Act (ADA) and Section 504, and 6304 - Bullying, Cyberbullying, Discrimination, Harassment, and Hazing.