

Presentation in Hearings Procedure

In most circumstances, citizens who qualify as Aggrieved Parties as defined below shall be entitled to administrative conferences and informal presentations of the complaint to the Board.

~~Citizen~~ Aggrieved Party complaints shall be handled as follows:

1. Complaints shall initially be discussed with the appropriate administrator within 15 calendar days of the event or action that is the subject of the complaint.
2. If the complaint is not resolved, the ~~citizen~~ Aggrieved Party may request a conference with the _____ Superintendent or Superintendent's designee. Prior to the conference with the _____ Superintendent or designee, the ~~citizen~~ Aggrieved Party shall submit a written complaint that includes a _____ description of the complaint, the solution sought, and the date of the conference(s) with _____ the administrator.
3. If the outcome of the conference with the Superintendent or designee is not to the ~~citizen's~~ Aggrieved Party's satisfaction, the ~~citizen~~ Aggrieved Party may request in writing to a hearing to present the complaint to the Board at ~~the next~~ a _____ regularly scheduled meeting. The written request shall identify specifically the claimed violations and the relief requested. The written request shall be deemed filed upon receipt by the Superintendent's office. Failure of the Aggrieved Party to file such a request within (30) thirty days of the claimed violation shall be deemed a waiver by the citizen of his or her rights to contest the alleged violation.
4. ~~The Board shall designate a portion of its regular monthly meeting to hear citizen complaints.~~ hold a hearing on the Aggrieved Party's complaint within (45) forty-five days after receiving a written request for such from the Aggrieved Party. The Board may set reasonable time limits on complaint ~~presentation~~ hearings. If the Aggrieved Party's complaint concerns personnel, then the matter shall be heard in an executive session. However, any action taken by the Board shall be taken in an open meeting. The Board shall notify the Aggrieved Party in writing of the time and place of the hearing. ~~The Board shall listen to the complaint but is not required to respond or take action on the matter unless the complaint is from an aggrieved party as defined below. Complaints concerning personnel shall be held in an executive session.~~
5. The Board shall make a decision regarding the Aggrieved Party's complaint within (45) forty-five days of the hearing.

Aggrieved Parties

An "aggrieved party" is a citizen who has allegedly suffered a violation of a constitutional, statutory, or common law right, or a violation of a rule adopted by the State Board of Education or the Board. ~~or public complaint policy adopted by the Board.~~

Notice Independent Right

~~An~~ The a "Aggrieved Party's" right to a hearing set forth herein shall not be construed to create an independent right to a hearing before the Board in addition to hearings required by law. ~~citizen shall make a written request for a hearing, identifying specifically the claimed violations and the relief requested. The written request shall be deemed filed upon receipt by the Superintendent's office. Failure of the citizen to file such a request within 30 days of the claimed violation shall be deemed a waiver by the citizen of his or her rights to contest the alleged violation.~~

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The Hearing

~~Aggrieved parties shall, upon proper request, be afforded a hearing before the Board in accordance with applicable law. However, this provision shall not be construed to create an independent right to a hearing before the Board in addition to hearings required by law. The Board shall conduct a hearing for aggrieved parties within 30 days of receipt of a written request for a Board hearing unless the hearing is postponed by mutual consent. The Board shall notify the aggrieved citizen in writing of the time and place of the hearing.~~

Executive Session

~~If the complaint involves complaints or charges about an employee of the school district, the complaint shall be heard by the Board in a closed executive session unless the employee allegedly involved in the complaint requests a public meeting to review the complaint.~~

~~•Utah Code Ann. § 52-4-5~~

~~The Board shall notify the aggrieved citizen of its decision in writing within 15 days after the hearing.~~

Exception

~~Complaints for which other resolution procedures are provided shall be directed through those channels.~~