

Greater Albany SD 8J Administrative Regulation

Code: **IGBBA-AR**
Adopted: 3/12/01
Revised: 8/13/07

Appeals Procedure for Talented and Gifted Identification and Placement

The Board has established an appeals process for parents or guardians¹ to utilize if they are dissatisfied with the identification process and/or placement of their student in the district program for talented and gifted (TAG) students and wish to request reconsideration. The district's desire and intent is to reach satisfactory solutions during the informal process:

Informal Process

1. The parents will contact the district TAG coordinator/teacher to request reconsideration;
2. The TAG coordinator/teacher will confer with the parents or guardians and may include any additional appropriate persons, e.g. principal, counselor, teacher, etc. At this time, information pertinent to the selection or placement will be shared;
3. If an agreement cannot be reached, the parents or guardians may initiate the Formal Process.

Formal Process

1. Parents or guardians shall submit a written request for reconsideration of the identification/placement to the assistant superintendent;
2. The assistant superintendent shall acknowledge in writing the receipt of the request within five working days and shall forward copies of the request and acknowledgment to the TAG coordinator/teacher;
3. The assistant superintendent, TAG coordinator/teacher, and other appropriate administrator shall review the student's file and earlier decisions within 10 working days of the original request. Additional data may be gathered to support or change the earlier decision;
4. Parents or guardians may be provided an opportunity to present additional evidence;
5. If deemed necessary, a formal hearing will be conducted by the district hearings officer utilizing the appropriate procedures;
6. A decision will be made within 20 working days after receipt of the written request for reconsideration. The parents or guardians shall be notified of the decision in writing and the decision shall be forwarded to the superintendent;
7. The decision may be appealed to the Board;

¹As used in this policy, the term parent includes legal guardian or person in a personal relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parents also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005(18).

8. If the parents or guardians are still dissatisfied, an appeal to the State Superintendent of Public Instruction following the procedures outlined in the Oregon Administrative Rules (OAR) may be used. The district shall provide a copy of the appropriate OAR upon request.