



Effective: July 1, 2023

UP Academy Grievance Policy

Where to File a Complaint

Any student who believes that UP Academy has discriminated against or harassed her/him because of her/his race, color, national origin, sex, disability, or age in admission to, access to, treatment in, or employment in its services, programs, and activities may file a complaint with the Principal or DOO. If the Principal or DOO is the person who is alleged to have caused the discrimination or harassment, the complaint may be filed with the CEO of UP Education Network, the Dean of Students, or the Dean of Curriculum and Instruction. These individuals are listed below and are hereinafter referred to as "Grievance Administrators."

- CEO of UP Education Network: Hillary Cason

Complaints of Harassment by Peers

In the event the complaint consists of a student's allegation that another student is harassing him/her based upon the above-referenced classifications, the student may, as an alternative to filing a complaint with the Principal or a Grievance Administrator, file a complaint with the complaint manager (hereinafter referred to as "Building Complaint Manager"). The name of the Building Complaint Manager(s) is kept at the school and may be obtained from the main office.

Complaints of Discrimination Based on Disability

Parents or students who disagree about the identification, evaluation, or educational placement of a student, who because of a handicap needs or is believed to need special instruction or related services (pursuant to, e.g., Section 504 of the Rehabilitation Act of 1973, Chapter 766, and/or the Individuals with Disabilities Education Act) must use the procedure outlined in the Massachusetts Department of Elementary and Secondary Education's Parents' Notice of Procedural Safeguards (formerly known as the "Parent's Rights Brochure"). A copy of the Notice is available from the Learning Specialist.

Contents of Complaints and Timelines for Filing

Complaints under this Grievance Procedure must be filed within 30 school days of the alleged discrimination. The complaint must be in writing. The Grievance Administrator or Building Complaint Manager (collectively, "Grievance Administrator"), or any person of the grievant's choosing, may assist the grievant with filing the complaint. The written complaint must include the following information:

1. The name and school (or address and telephone number if not a student or employee) of the grievant;
2. The name (and address and telephone number if not a student or employee) of the grievant's representative, if any;
3. The name of the person(s) alleged to have caused the discrimination or harassment (respondent);
4. A description, in as much detail as possible, of the alleged discrimination or harassment;
5. The date(s) of the alleged discrimination or harassment;
6. The name of all persons who have knowledge about the alleged discrimination or harassment (witnesses), as can be reasonably determined; and
7. A description, in as much detail as possible, of how the grievant wants the complaint to be resolved.

Investigation and Resolution of the Complaint

Respondents will be informed of the charges as soon as the Grievance Administrator deems appropriate based upon the nature of the allegations, the investigation required, and the action contemplated.

The Grievance Administrator will interview witnesses whom s/he deems necessary and appropriate to determine the facts relevant to the complaint, and will gather other relevant information. Such interviews and gathering of information will be completed within fifteen (15) school days of receiving the complaint.

Within twenty (20) school days of receiving the complaint, the Grievance Administrator will meet with the grievant and/or her/his representative to review the information gathered and, if applicable, to propose a resolution designed to stop the discrimination or harassment and to correct its effect. Within ten (10) school days of the meeting with the grievant and/or representative, the Grievance Administrator will provide written disposition of the complaint to the grievant and/or representative and to the respondent(s).

Notwithstanding the above, it is understood that in the event a resolution contemplated by UP Academy involves disciplinary action against an employee or a student, the complainant will not be informed of such disciplinary action, unless it directly involves the complainant (e.g., a directive to "stay away" from the complainant, as might occur as a result of a complaint of harassment).

Any disciplinary action imposed upon an employee or student is subject to applicable procedural requirements.

All the time lines specified above will be implemented as specified, unless the nature of the investigation or exigent circumstances prevent such implementation, as determined in the School's sole discretion, in which case, the matter will be completed as quickly as practicable. If the timelines specified above are not met, the reason(s) for not meeting them must be clearly documented. In addition, it should be noted that in the event the respondent is subject to a collective bargaining agreement which sets forth a specific timeline for notice and/or investigation of a complaint, such time lines will be followed.

Confidentiality of grievants/respondents and witnesses will be maintained to the extent consistent with UP Academy's obligations relating to investigation of complaints and the due process rights of individuals affected.

Retaliation against someone because he/she has filed a complaint under this Grievance Procedure is strictly prohibited. Acts of retaliation may result in disciplinary action, up to and including suspension or expulsion/discharge.

Appeals

If the grievant is not satisfied with a disposition by a Grievance Administrator, the grievant may appeal the disposition to:

For UAB and UAD:

**Amar Kumar
Board Chair, UP Academy Charter School of Boston/Dorchester Board of trustees**

For UAH:

**Hillary Casson,
Chief Executive Officer, UP Education Network**

The Board of Trustees or CEO will issue a written response on the appeal to the grievant within thirty (30) school days of receiving the appeal.

Generally, a grievant may file a complaint with the U.S. Department of Education, Office for Civil Rights, JW McCormack POCH, Boston, Massachusetts 02109-4557, telephone (617) 223- 9662, TTY (617) 223-9695 as follows:

Within 180 calendar days of alleged discrimination of harassment, or
Within 60 calendar days of receiving notice of UP Academy Charter School's final disposition on a complaint filed through UP Academy Charter School, or within 60 calendar days of receiving a final decision by the Massachusetts Department of Education, Bureau of Special Education Appeals, or Instead of filing a complaint with UP Academy.

Complaint Procedures

Both the school and the Board work in conjunction with one another to hear and resolve any complaints. If a problem arises, both the school and the Board encourage the complainant to address the problem directly with the staff member(s). If the complainant is dissatisfied with the proposed resolution by the appropriate faculty or staff member, a meeting should be scheduled with the Principal. If this does not resolve the issue, then the Board encourages the complainant to contact the Board Chair who will arrange to have the complaint heard at the next possible meeting of the Board of Trustees.

Any individual who believes that UP Academy Boston or UP Academy Dorchester has violated any of the provisions of the Massachusetts charter school law and/or associated regulations may file a complaint with the school's Board of Trustees. Said complaint should be mailed to:

UP Academy Charter School of Boston
Attention: Board of Trustees Chairperson 215
Dorchester Street
Boston, MA 02127

Any individual who believes that UP Academy Holland has violated any of the provisions of the Massachusetts charter school law and/or associated regulations may file a complaint with the organization's CEO. Said complaint should be mailed to:

UP Education Network
Attention: Chief Executive Officer
218 Adams Street, #220818
Dorchester, MA 02122

If a complaint is filed with the Board, the Board will conduct an investigation into the complainant's concerns within 30 days. (The Board shall, pursuant to a complaint received under 603 CMR 1.10, or on its own initiative, conduct reviews to ensure compliance with M.G.L. 71, § 89, and 603 CMR 1.00.) Further, the Board shall respond no later than 30 days from receipt of the complaint in writing to the complaining party.

If the Board fails to respond within the required timelines, or if the complainant believes the issues involved in the complaint have not been adequately addressed by the Board, the complainant may submit the complaint in writing to the Commissioner of Elementary and Secondary Education, who will investigate and make a written response.

Any parent, guardian, or other individual or group who believes that a charter school has violated or is violating any state or federal law or regulation regarding special education or any other law outside of the charter school statute may file a complaint directly with the MA DESE by contacting the Office of Program Quality Assurance at (781)338-3700 or compliance@doe.mass.edu.

This complaint policy will be disseminated annually to all school community members and will also be made available upon request.