

Gaston County Schools

Procedures to Resolve Disagreements

Concerning Nomination, Identification and Service Delivery

Gaston County Schools Gifted Education Program goals, objectives and service delivery options should be clearly communicated to parents. Parents who have questions or concerns should first talk with the regular education teacher, the academically gifted teacher and/or the school principal.

In the event the parents/guardians disagree with a decision, it is hoped that the concerns may be resolved at the local level. The following procedures should be followed to resolve any disagreements:

- **Level 1 – School Site Review**

If parents have a disagreement concerning search and nomination, identification or services, they may request in writing a meeting with the principal to discuss their concerns. The principal may convene the Academically and Intellectually Gifted Team (AIG Team) to review referral and placement records and the student's current performance.

- **Level 2 – Administrative Review**

If the disagreement is not resolved at the school site, the parents may request an administrative review at the system level. This request should be made in writing within 10 days of the school site decision and sent to the Director of the AIG Program, the Deputy Superintendent of Instruction or the Superintendent.

- **Level 3 – School Board Review**

If agreement cannot be reached administratively, the parents may appeal to the Gaston County Board of Education. The Board will offer a written decision to parents within thirty days.

- **Level 4 – Mediation**

Parents, administrators or the Board of Education may request mediation by an impartial facilitator.

- **Level 5 – Administrative Law Hearing**

If mediation fails to resolve the disagreement satisfactorily, the parents may file a petition for a contested case hearing under Article 3 of Chapter 150B of the North Carolina General Statutes. According to the law, "The scope of the hearing shall be limited to:

- (i) whether the local school administrative unit improperly failed to identify the child as an academically or intellectually gifted students, or
- (ii) whether the local plan developed under G.S. 115C-150.7 has been implemented appropriately with regard to the child."

Following the hearing, the administrative law judge will make a decision based on the findings of facts and conclusion of the law. The decision of the administrative law judge is final, is binding on all parties and is not subject to further review under Article 4 of Chapter 150B of the General Statutes. Legal fees are the responsibility of the parents.