

Guidelines for an LEA Developed Procedure for Responses to HB 302 and HB230 Complaints

Local Education Agencies (LEAs) receives concerns submitted by citizens, educators, employees, parents/guardians, students, and other stakeholders regarding the violation of the rights of federally protected individuals under the Equal Educational Opportunities Act of 1974, Title VI of the Civil Rights Act of 1964, and the [Joint Letter](#) from the Departments of Justice and Education: “Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs.” Complaints can also be based on the 2022 Utah state law as articulated in HB302 (Education Language Services) and HB230 (Refugee and Immigrant Student Policies). Resources to support LEAs are on the Utah State board of Education Title III website under [Legislation](#).

Overview

The procedures outlined in this document are specific to the complaint resolution process in LEAs related to Utah’s 2022 state legislation ([HB302](#) and [HB230](#)).

Response to Complaints

When a complaint is submitted to the LEA Designee the response should be within 24-48 hours (1-2 days), if possible, but no later than 72 hours (3 days) after receiving the complaint.

Using the established LEA grievance process to resolve complaints can be based on any violation of the Model Language Access Plan provided by the Utah State Board, if the LEA Board has not yet adopted a LAP policy as legislated in HB302 or any violation of HB230 for Enrollment into a public school.

Documentation

Each complaint should be documented with the basic information: When, What, Who and contact information with preferences for language. This is especially important if the complaint is lodged by a community based organization or resettlement agency on behalf of a parent or guardian. This information includes any school personnel involved in the complaint.

The resolution should be based on what specific actions were taken to resolve the complaint and by whom, which could include a social service provider, translation and interpretation services, community-based or resettlement agency mediation.

The expectation is that all complaints are logged into a database so that the LEA can self-assess their responsiveness to their stakeholders’ concerns. This includes evaluating the effectiveness of each response as well as the use of any language services to support meaningful communication.