

~~Members of the public having complaints regarding the District's policies, procedures, or operations may present their complaints or concerns to the Board after following the procedure defined in this policy. The Board intends that, whenever feasible, complaints shall be resolved at the lowest possible administrative level.~~

**GUIDING  
PRINCIPLES**

**The Board encourages the public to discuss concerns and complaints through informal conferences with the appropriate administrator.**

**INFORMAL  
PROCESS**

**Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.**

**FORMAL  
PROCESS**

**If an informal conference regarding a complaint fails to reach the outcome requested by an individual, he or she may initiate the formal process described below by timely filing a written complaint form.**

**Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.**

**The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.**

**FREEDOM FROM  
RETALIATION**

**Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.**

**APPLICATION**

**Except as addressed by SPECIFIC COMPLAINTS, below, this policy applies to all complaints or grievances from the public.**

**SPECIFIC COMPLAINTS**

For more information on how to proceed with complaints regarding:

1. Alleged discrimination, see GA.
2. Instructional materials, see EFA.
3. On-campus distribution of nonschool materials, see GKDA.
4. A commissioned peace officer who is an employee of the District, see CKE.

**DEFINITIONS**

For purposes of this policy, terms are defined as follows:

**COMPLAINT/GRIEVANCE**

The term “complaint” and “grievance” shall have the same meaning.

**FILING**

Complaint forms and appeal notices may be filed by hand-delivery, fax, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked by U.S. Mail on the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

**DAYS**

“Days” shall mean District business days. In calculating time lines under this policy, the day a document is filed is “day-zero,” and all deadlines shall be determined by counting the following day as “day one.”

**RESPONSE**

At Levels One and Two, “response” shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the individuals mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on the deadline and received by the individual or designated representative no more than three days after the response deadline.

**REPRESENTATIVE** “Representative” shall mean any person who or organization that is designated by an individual to represent the individual

in the complaint process.

The individual may designate a representative through written notice to the District at any level of this process. If the individual designates a representative with fewer than three days' notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District's counsel.

**GENERAL PROVISIONS**

Complaints arising out of an event or series of related events shall be addressed in one complaint. An individual shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

**UNTIMELY FILINGS**

All time limits shall be strictly followed unless modified by mutual written consent.

If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

**COST INCURRED**

Each party shall pay its own costs incurred in the course of the complaint.

**COMPLAINT FORM**

Complaints under this policy shall be submitted in writing on a form provided by the District.

Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted unless the individual did not know the documents existed before the Level One conference.

A complaint form that is incomplete in any material aspect may be dismissed, but may be refiled with all the requested information if the refiling is within the designated time for filing a complaint.

**EXCEPTIONS**

~~Public complaints regarding instructional and library materials~~

~~are addressed at EFA and complaints against peace officers, at CKE. Complaints brought by employees shall be in accordance with DGBA; complaints brought by students and parents, with FNG.~~

~~GENERAL  
PROVISIONS-~~

~~For purposes of this policy, "days" shall mean calendar days.~~

~~Announcement of a decision in the complainant's presence shall constitute communication of the decision.~~

LEVEL ONE

~~An individual who has a complaint or concern shall request a conference with the appropriate administrator within 15 days of the event or action that is the subject of the complaint. The administrator shall hold a conference with the individual within seven days of the request. The administrator shall have seven days following the conference within which to respond.~~

**Complaint forms must be filed:**

- 1. Within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and**
- 2. With the lowest level administrator who has the authority to remedy the alleged problem.**

**If the only administrator who has the authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.**

**If the complaint is not filed with the appropriate administrator, the receiving administrator must note the date and time the complaint form was received and immediately forward the complaint form to the appropriate administrator.**

**The appropriate administrator shall hold a conference with the individual within ten days after receipt of the written complaint.**

**The administrator shall have ten days following the conference to provide the individual a written response.**

LEVEL TWO

~~If the outcome of the conference with the administrator is not to the complainant's satisfaction or the time for a response has expired, the complainant may request a conference with the Superintendent or designee. The request must be filed within seven days following receipt of a response or, if no response is~~

~~received, within seven days of the response deadline. The Superintendent or designee shall hold the conference within seven days after receiving the request.~~

~~Prior to or at the time of the conference, the complainant shall submit a signed written complaint that includes his or her signed statement of the complaint, any evidence in its support, the solution sought, and the date of the conference with the administrator. The Superintendent or designee shall have seven days following the conference within which to respond.~~

**If the individual did not receive the relief requested at Level One or if the time for a response has expired, he or she may request a conference with the Superintendent or designee to appeal the Level One decision.**

**The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level One.**

**The Superintendent or designee shall hold a conference within ten days after the appeal notice is filed. At the conference, the Superintendent or designee shall consider only the issues and documents presented at Level One and identified in the Level Two appeal notice. The Superintendent or designee shall have ten days following the conference to provide the individual a written response.**

### LEVEL THREE

~~If the outcome of a conference with the Superintendent or designee is not to the complainant's satisfaction or if the time for a response has expired, the complainant may submit to the Superintendent or designee a request to place the matter on the agenda of a future Board meeting. The request shall be in writing and must be filed within seven days of the response or, if no response is received, within seven days of the response deadline.~~

~~The Superintendent shall inform the complainant of the date, time, and place of the meeting.~~

~~The presiding officer shall establish a reasonable time limit for complaint presentations. The District shall make an audiotape record of the Level Three proceeding before the Board. The Board shall hear the complaint and shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting.~~

**If the individual did not receive the relief requested at Level Two or if the time for a response has expired, he or she may appeal the decision to the Board.**

**The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level Two.**

**The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.**

**The Superintendent or designee shall provide the Board with copies of the complaint form, all responses, all appeal notices, and all written documentation previously submitted by the individual or the administration. The Board shall consider only those issues and documents presented at the preceding levels and identified in the appeal notice.**

**The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]**

**The presiding office may set reasonable time limits and guidelines for the presentation. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.**

**In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the Level Three presentation. The Level Three presentation, including the presentation by the individual or his or her representative, any presentations from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.**

**The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the complaint by the end of the next regularly scheduled Board meeting, the lack of a response by the Board upholds the administrative decision at Level Two.**

~~CLOSED  
MEETING~~

~~If a complaint involves concerns or charges regarding an employee, it shall be heard by the Board in closed meeting unless the employee to whom the complaint pertains requests that it be heard in public.~~

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UPDATE ~~65-73~~

GF(LOCAL)

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**This online presentation of your district's policy is an electronic representation of TASB's record of the district's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent. [See BF (LOCAL) for further information.]**