



## ALEDO ISD BOARD MEETING TEMPLATE

**MEETING DATE:** January 19, 2015

**AGENDA ITEM:** Action Item on Policy Update 101

**PRESENTER:** Kathy Allen

### **ALIGNS TO BOARD PRIORITIES(S):**

- Continuous Improvement – The District shall establish systems and processes to evaluate organizational effectiveness and customer satisfaction.
- Human Resources – The District shall recruit, hire, train, and retain a highly qualified staff.
- Safety – The District will maintain a safe and orderly environment.
- Learning – The District will provide an aligned, rigorous curriculum, with instructional and technology programs preparing students to meet or exceed all educational standards.

### **BACKGROUND INFORMATION:**

- Update 101 includes twenty-nine policies that are recommended for revision to remain in compliance with recent legislative changes.
- Eight of these new policies are Local, twenty-one are Legal, and two are Exhibits.
- B Policy: LOCAL GOVERNANCE
  - BE(LOCAL) – BOARD MEETINGS - Recommended changes to this policy are to simplify the policy and make it more flexible to accommodate variations from the board's normal meeting practices. Policy language now indicates that the notice shall reflect the date, time and location of the meeting; rather than listing the regular meeting location.
- C Policy: BUSINESS AND SUPPORT SERVICES
  - CH(LOCAL) – PURCHASES AND AQUISITIONS - TASB recommends new provisions allowing for districts to accept electronic bid submissions. These new provisions would not obligate a district to accept electronic submissions; however, bids or proposals that the district has chosen to accept electronically must be in accordance with board-adopted rules. Other recommend revisions throughout this policy are to more closely align with common district practice and refer to administrative purchasing procedures. If the Board adopts this policy, then a resolution would be drafted and presented to the Board for approval outlining procedures for electronic bidding.
- D Policy: PERSONNEL
  - DGBA(LOCAL) – EMPLOYEE COMPLAINTS/GRIEVANCES - A recent Commissioner of Education decision, *Anzaldua v. Valley View*

*Independent School District*, held under the district's grievance policy, an employee's use of the informal grievance process extended the time line for filing a formal grievance. Therefore, the time line for filing a formal grievance would not start to run until after the employee had received a final response from the person conducting the informal process. A recommendation at INFORMAL PROCESS clarifies that participation in the informal grievance process does not extend any deadlines in policy, except by mutual consent. This new text is consistent with the current requirement, at LEVEL ONE, the complaint forms must be filed within 15 days of the date the employee knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint. A conforming change, at FORMAL PROCESS deletes reference to the use of informal conference before an employee may file a formal complaint. INFORMAL PROCESSES encourages employees to discuss concerns with his or her supervisor, principal, or other appropriate administrator. TASB has clarified that in the informal process an administrator with whom an employee discusses concerns must have the authority to address those concerns. Other revisions are as follows:

- OTHER COMPLAINT PROCESSES - Employees must follow specific complaint processes listed in policy. However, appeals stemming from those complaint processes may need to be submitted in accordance with DGBA.
  - NOTICE TO EMPLOYEES – Districts are required to inform employees of policy through district publications.
  - FILING and RESPONSE - Complaint forms, appeals and responses may be transmitted through electronic communications such as e-mail and fax by the end of the business day. Responses can be sent to the employee's e-mail address of record.
  - SCHEDULING CONFERENCES – There is a new provision that a district can make a reasonable attempt to schedule a conference at a mutually agreeable time. If the employee fails to appear at the scheduled conference the district can hold the conference without the employee.
  - LEVEL ONE and LEVEL TWO – Administrators must “schedule” rather than “hold” conferences within ten days of receiving the written complaint or appeal notice. This change gives administrators flexibility when it is not possible to hold a conference within the ten-day period. [Similar changes have also been made to DGBA(LOCAL) and GF(LOCAL) due to the recent Commissioner of Education decision on the *Anzaldua* case.]
- E Policy: INSTRUCTION
    - EB(LOCAL) – SCHOOL YEAR - Recommended text gives the Superintendent the authority to act in two critical situations: approving variations from the Board-adopted school calendar, when necessary, and closing schools for reasons of public health and safety.
  - F Policy: STUDENTS

- FFG(LOCAL) – STUDENT WELFARE – Child Abuse and Neglect – To satisfy the Commissioner’s new requirement that districts adopt policies for reporting child abuse and neglect, this new policy is recommended for inclusion in the district’s manual. Individual’s should make reports in accordance with FFG(EXHIBIT).
- FMG(LOCAL) – STUDENT ACTIVITIES – TRAVEL – Recommended revisions are to simplify the policy and reflect common district practice. The policy also addresses common practices regarding authority to approve overnight and out-of-state trips.
- FNG(LOCAL) – STUDENT RIGHTS AND RESPONSIBILITIES STUDENT AND PARENT COMPLAINTS/GRIEVANCES – Due to the recent Commissioner of Education decision, *Anzaladua v. Valley View Independent School District*, this policy has changes similar to those made in DGBA(LOCAL) and GF(LOCAL) concerning complaints and appeals.
- G Policy: COMMUNITY AND GOVERNMENTAL RELATIONS
  - GF(LOCAL) – COMPLAINTS PUBLIC - Due to the recent Commissioner of Education decision, *Anzaladua v. Valley View Independent School District*, this policy has changes similar to those made in DGBA(LOCAL) and FNG(LOCAL) concerning complaints and appeals.

**ADMINISTRATIVE CONSIDERATIONS:** Consider approval of Update 101

**FISCAL NOTE:** None

**ADMINISTRATIVE RECOMMENDATIONS:** Administration recommends the approval of Update 101 as written and presented.

(LOCAL) Policy Action List

ALEDO ISD(184907) – Update / LDU 101

BE(LOCAL): BOARD MEETINGS

CH(LOCAL): PURCHASING AND ACQUISITION

DGBA(LOCAL): PERSONNEL-MANAGEMENT RELATIONS - EMPLOYEE COMPLAINTS/GRIEVANCES

EB(LOCAL): SCHOOL YEAR

FFG(LOCAL): STUDENT WELFARE - CHILD ABUSE AND NEGLECT

FMG(LOCAL): STUDENT ACTIVITIES - TRAVEL

FNG(LOCAL): STUDENT RIGHTS AND RESPONSIBILITIES - STUDENT AND PARENT COMPLAINTS/GRIEVANCES

GF(LOCAL): PUBLIC COMPLAINTS

BOARD MEETINGS

BE  
(LOCAL)

MEETING PLACE AND  
TIME

~~The Unless otherwise provided in the~~ notice for a **Board** meeting shall reflect the date, time, and location of the meeting.

~~regular, Board meetings shall be held at the Aledo Administration Board Room.~~

MEETING TIME

Regular meetings of the Board shall **normally** be held on the third Monday of each month at 7:00 p.m. When determined necessary and for the convenience of **Board members**~~Trustees~~, the Board President may change the date, ~~or time, or location~~ of a regular meeting **with proper**~~The~~ notice. ~~for that meeting shall reflect the changed date or time.~~

SPECIAL OR  
EMERGENCY  
MEETINGS

~~The Board time and place of special and emergency meetings shall be as set out in the notice for the meeting.~~

~~The~~ President ~~of the Board~~ shall call special meetings at the **Board** President's discretion or on request by two members of the Board.

The **Board** President shall call an emergency meeting when it is determined by the **Board** President or two members of the Board that an emergency or urgent public necessity, as defined by law, warrants the meeting.

AGENDA  
DEADLINE

The deadline for submitting items for inclusion on the agenda is ~~noon of the the~~ seventh calendar day before regular meetings and ~~noon of the the~~ fourth calendar day before special meetings.

PREPARATION

In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. Any **Board member**~~Trustee~~ may request that a subject be included on the agenda for a meeting, and the Superintendent shall include on the preliminary agenda of the meeting all ~~Trustee requested~~ topics that have been timely submitted **by a Board member**.

Before the official agenda is finalized for any meeting, the Superintendent shall consult the Board President to ensure that the agenda and the topics included meet with the **Board** President's approval. In reviewing the preliminary agenda, the **Board** President shall ensure that any topics the Board or individual **Board members**~~Trustees~~ have requested to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future. The Board President shall not have authority to remove from the agenda a subject requested by a **Board member**~~Trustee~~ without that **Board member's**~~Trustee's~~ specific authorization.

NOTICE TO MEMBERS

Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meet-

BOARD MEETINGS

BE  
(LOCAL)

	<p>ing and at least two hours prior to the time of an emergency meeting.</p>
CLOSED MEETING	<p>Notice of all meetings shall provide for the possibility of a closed meeting during an open meeting, <b>in accordance with as provided by law. [See BEC]</b></p> <p>The Board may conduct a closed meeting when the agenda subject is one that may properly be discussed in closed meeting. [See BEC]</p>
ORDER OF BUSINESS	<p>The order of business for regular Board meetings shall be as set out in the agenda accompanying the notice of the meeting. At the meeting, the order in which posted agenda items are taken may be changed by consensus of Board members.</p>
RULES OF ORDER	<p>The Board shall observe the parliamentary procedures as found in <i>Robert's Rules of Order, Newly Revised</i>, except as otherwise provided in Board procedural rules or by law. Procedural rules may be suspended at any Board meeting by majority vote of the members present.</p>
VOTING	<p>Voting shall be by voice vote or show of hands, as directed by the <b>Board</b> President. Any member may abstain from voting, and a member's vote or failure to vote shall be recorded upon that member's request. [See BDAA(LOCAL) for the Board President's voting rights]</p>
CONSENT AGENDA	<p>When the agenda is prepared, the Board President shall determine items, if any, that qualify to be placed on the consent agenda. A consent agenda shall include items of a routine and/or recurring nature grouped together under one action item. For each item listed as part of a consent agenda, the Board shall be furnished with background material. All such items shall be acted upon by one vote without separate discussion, unless a Board member requests that an item be withdrawn for individual consideration. The remaining items shall be adopted under a single motion and vote.</p>
MINUTES	<p>Board action shall be carefully recorded by the <b>Board</b> Secretary or clerk; when approved, these minutes shall serve as the legal record of official Board actions. The written minutes of all meetings shall be approved by vote of the Board and signed by the <b>Board</b> President and the <b>Board</b> Secretary <del>of the Board</del>.</p> <p>The official minutes of the Board shall be retained on file in the office of the Superintendent and shall be available for examination during regular office hours.</p>
DISCUSSIONS AND LIMITATION	<p>Discussions shall be addressed to the <b>Board</b> President <del>of the Board</del> and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the</p>

Board President shall halt discussion that does not apply to the business before the Board.

The Board President shall also halt discussion if the Board has agreed to a time limitation for discussion of an item, and that time limit has expired. Aside from these limitations, the **Board** President shall not interfere with debate so long as members wish to address themselves to an item under consideration.

PURCHASING AND ACQUISITION

CH  
(LOCAL)

PURCHASING  
AUTHORITY

The Board delegates to the Superintendent or designee the authority to make budgeted purchases for goods or services. However, any single, budgeted purchase of goods or services that costs \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

PURCHASING  
METHOD

The Board delegates to the Superintendent or designee the authority to determine the method of purchasing in accordance with CH(LEGAL).

COMPETITIVE  
BIDDING

If competitive bidding is chosen as the purchasing method, the Superintendent or designee shall prepare bid specifications. All bids shall be ~~submitted in accordance~~ ~~sealed envelopes, plainly marked with administrative regulations, the name of the bidder and the submission of any electronic bids shall also be in accordance with Board-adopted rules~~ ~~time of opening~~. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.

The District may reject any and all bids.

COMPETITIVE  
SEALED  
PROPOSALS

If competitive sealed proposals are chosen as the purchasing method, the Superintendent or designee shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be ~~submitted in accordance~~ ~~sealed envelopes, plainly marked with administrative regulations, the name of the proposer and the submission of any electronic proposals shall also be in accordance with Board-adopted rules~~ ~~time of opening~~. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

The District may reject any and all proposals.

**ELECTRONIC BIDS  
OR PROPOSALS**

**Bids or proposals that the District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.**



PURCHASING AND ACQUISITION

CH  
(LOCAL)

RESPONSIBILITY FOR DEBTS

The Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with **the adopted budget, state law**, Board policy, and **the District's purchasing**~~current administrative~~ procedures. **[See CE]** The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.

PURCHASE COMMITMENTS

All purchase commitments shall be made by the Superintendent or designee ~~on a properly drawn and issued purchase order,~~ in accordance with administrative **procedures, including the District's purchasing** procedures.

PERSONAL PURCHASES

District employees shall not be permitted to **make purchases**~~purchase supplies or equipment~~ for personal use through the District's business office.

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

COMPLAINTS

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

OTHER COMPLAINT  
PROCESSES

Employee complaints shall be filed in accordance with this policy, except as **required by the policies listed below. Some of these policies require appeals to be submitted in accordance with DGBA after the relevant complaint process**~~provided below:~~

1. Complaints alleging discrimination, including violations of Title IX (gender), Title VII (sex, race, color, religion, national origin), ADEA (age), or Section 504 (disability), shall be submitted in accordance with DIA.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with DIA.
3. Complaints concerning retaliation relating to discrimination and harassment shall be submitted in accordance with DIA.
4. Complaints concerning instructional materials shall be submitted in accordance with EFA.
5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.
6. Complaints concerning the proposed nonrenewal of a term contract issued under Chapter 21 of the Education Code shall be submitted in accordance with DFBB.
7. Complaints concerning the proposed termination or suspension without pay of an employee on a probationary, term, or continuing contract issued under Chapter 21 of the Education Code during the contract term shall be submitted in accordance with DFAA, DFBA, or DFCA.

NOTICE TO  
EMPLOYEES

The District shall inform employees of this policy **through appropriate District publications.**

GUIDING PRINCIPLES  
INFORMAL  
PROCESS

The Board encourages employees to discuss their concerns ~~and complaints through informal conferences~~ with their supervisor, principal, or other appropriate administrator **who has the authority to address the concerns.**

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

**Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.**

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

DIRECT COMMUNICATION WITH BOARD MEMBERS	Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.
FORMAL PROCESS	<p><b>An employee</b><del>if an informal conference regarding a complaint fails to reach the outcome requested by the employee, he or she</del> may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>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.</p>
FREEDOM FROM RETALIATION	Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.
WHISTLEBLOWER COMPLAINTS	Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. Time lines for the employee and the District set out in this policy may be shortened to allow the Board to make a final decision within 60 calendar days of the initiation of the complaint. [See DG]
COMPLAINTS AGAINST SUPERVISORS	Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. <b>Complaint forms</b> <del>Complaints</del> alleging a violation of law by the Superintendent may be <b>submitted</b> <del>made</del> directly to the Board or designee.
GENERAL PROVISIONS FILING	Complaint forms and appeal notices may be filed by hand-delivery, <b>by electronic communication, including e-mail and fax, or by</b> <del>fax, or</del> 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. <b>Filings submitted by electronic communication</b> <del>Fax filings</del> shall be timely filed if they are received <b>by the close of business on</b> <del>on or before</del> the deadline, as indicated by the date/time shown on the <b>electronic communication</b> <del>fax copy</del> . Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

**SCHEDULING  
CONFERENCES**

**The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the employee fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the employee's absence.**

RESPONSE

At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, **sent by electronic communication to the employee's e-mail address of record**, or sent by U.S. Mail to the employee's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.

DAYS

"Days" shall mean District business days, unless otherwise noted. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."

REPRESENTATIVE

"Representative" shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.

The employee may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee 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. The District may be represented by counsel at any level of the process.

CONSOLIDATING  
COMPLAINTS

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

When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.

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 employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

COSTS INCURRED	Each party shall pay its own costs incurred in the course of the complaint.
COMPLAINT AND APPEAL FORMS <del>FORM</del>	<p>Complaints <b>and appeals</b> under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be attached to the complaint form. If the employee 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 by the employee unless the employee did not know the documents existed before the Level One conference.</p> <p>A complaint <b>or appeal</b> form that is incomplete in any material aspect may be dismissed, but may be refiled with all the required information if the refiling is within the designated time for filing <b>a complaint</b>.</p>
AUDIO RECORDING	As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.
LEVEL ONE	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none"><li>1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and</li><li>2. With the lowest level administrator who has the authority to remedy the alleged problem.</li></ol> <p>In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.</p> <p>If the only administrator who has 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.</p> <p>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.</p> <p>The appropriate administrator shall investigate as necessary and <b>schedule</b> <del>hold</del> a conference with the employee within ten days after</p>

receipt of the written complaint. The administrator may set reasonable time limits for the conference.

**Absent extenuating circumstances, the**~~The~~ administrator shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

#### LEVEL TWO

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee 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 of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The employee may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the employee at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall ~~schedule~~**hold** a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues **and documents considered**~~presented by the employee~~ at Level One ~~and identified in the Level Two appeal notice~~. At the conference, the employee may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the employee a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a

decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

LEVELTHREE

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee 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 of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the employee 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 the record of the Level Two appeal. The employee may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

**The appeal shall be limited to the issues and documents considered at Level Two, except that if** ~~if~~ at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the employee notice of the nature of the evidence at least three days before the hearing.

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 officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall

PERSONNEL-MANAGEMENT RELATIONS  
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA  
(LOCAL)

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 employee or the employee's representative, any presentation 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 the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.



SCHOOL YEAR

EB  
(LOCAL)

SCHOOL CALENDAR

The Superintendent shall be authorized to approve variations from the Board-adopted school calendar, as necessary.

SCHOOLCLOSURE

The Board delegates to the Superintendent the authority to close schools for reasons of public health and safety.

Aledo ISD  
184907

STUDENT WELFARE  
CHILD ABUSE AND NEGLECT

FFG  
(LOCAL)

REPORTING CHILD  
ABUSE AND NEGLECT

Any person who has cause to believe that a child has been or may be abused or neglected by any person shall make a report immediately as required by law.

Reports shall be made in accordance with FFG(EXHIBIT).

Aledo ISD  
184907

STUDENT ACTIVITIES  
TRAVEL

FMG  
(LOCAL)

**TRANSPORTATION  
FOR STUDENT  
TRAVEL**

~~SCHOOL-  
SPONSORED TRIPS IN  
GENERAL~~

Students who participate in school-sponsored trips shall be required to ~~use ride in~~ transportation provided by the ~~District school~~ to and from the event, **except as otherwise permitted in administrative regulations.**

~~—An exception may be made if the student's parent or guardian personally requests that the student be allowed to ride with the parent or presents a written request to the principal the day before the scheduled trip that the student be allowed to ride with an adult designated by the parent. The District shall not be liable for any injuries that occur to students riding in-state - vehicles that are not provided by the school.~~

OVERNIGHT TRIPS

**Any in-state** ~~The Board shall permit students to take school-sponsored overnight trips~~ **taken by student** for the following purposes:

- ~~1. Activities of school-sponsored or sanctioned clubs or organizations. Approval for the trip shall be from the principal and Superintendent's designee.~~
- 2.1. All other student groups shall require approval from the Superintendent.** ~~sanctioned competitions. Approval for the trip shall be from the principal and Superintendent's designee.~~

OUT-OF-STATE TRIPS

**Any** ~~The Board shall permit students to take out-of-state school-sponsored trips~~ **taken by student** for the following purposes:

- ~~1. Activities of school-sponsored or sanctioned clubs or organizations~~ **or other student groups.** ~~Approval for the trip shall be from the Superintendent and the Board.~~
- ~~2. Other sanctioned competitions. Approval for the trip shall be from the Board or the Superintendent.~~

~~Trips shall have clearly defined educational goals and shall include educational experiences in transit.~~

~~The following restrictions shall apply to out-of-state school-sponsored trips:~~

- ~~1. Only high school students may take such trips. Exceptions may be made for junior high school students and elementary students if unusual circumstances apply.~~
- ~~2. Initial approval from the Superintendent shall be required. Final approval by the Board or the Superintendent shall be required 45 days in advance of the trip.~~

DATE ISSUED: ~~12/2/2014~~ 10/25/1999

~~UPDATE 101~~ LDU-43-99

FMG(LOCAL)-AX

Aledo ISD  
184907

STUDENT ACTIVITIES  
TRAVEL

FMG  
(LOCAL)

OUT-OF-COUNTRY  
TRIPS

~~3. Not more than two school days per year may be used unless the Superintendent approves an exception.~~

~~4. Special travel requests shall be submitted to the principal and Superintendent prior to advising students.~~

~~These provisions shall not limit teacher-organized trips during the summer or school breaks if the trip is not in any way connected to the school or the District.~~

~~The Board shall permit students to take out-of-country school-sponsored trips for the following purposes:~~

~~1. Activities of school-sponsored or -sanctioned clubs or organizations. Approval for the trip shall be from the Superintendent and the Board.~~

~~2. Other sanctioned competitions. Approval for the trip shall be from the Superintendent and the Board.~~

~~Trips shall have clearly defined educational goals and shall include educational experience in transit.~~

~~The following restrictions shall apply to out-of-country school-sponsored trips:~~

~~1. Only high school students may take such trips. Exceptions may be made for junior high school students and elementary students if unusual circumstances apply.~~

~~2. Initial approval shall be required by the Superintendent. Final approval shall be required by the Board 45 days in advance of the trip.~~

~~3. Travel shall not exceed two school days per year. Any exceptions shall require approval from the Board by the Superintendent and the Board.~~

~~4. Special travel requests shall be submitted to the principal and the Superintendent in advance of advising students.~~

~~These provisions shall not limit teacher-organized trips during the summer or school breaks if the trip is not in any way connected to the school or the District.~~

DATE ISSUED: ~~12/2/2014~~10/25/1999  
UPDATE 101 ~~LDU-43-99~~  
FMG(LOCAL)-~~AX~~

ADOPTED:

2 of 2

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

COMPLAINTS

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

OTHER COMPLAINT  
PROCESSES

Student or parent complaints shall be filed in accordance with this policy, except as **required by the policies listed below. Some of these policies require appeals to be submitted in accordance with FNG after the relevant complaint process**~~provided below:~~

1. Complaints alleging discrimination or harassment based on race, color, gender, national origin, disability, or religion shall be submitted in accordance with FFH.
2. Complaints concerning dating violence shall be submitted in accordance with FFH.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with FFH.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning **failure to award**~~loss of~~ credit **or a final grade** on the basis of attendance shall be submitted in accordance with FEC.
- ~~6. Complaints concerning removal to a disciplinary alternative education program shall be submitted in accordance with FOC and the Student Code of Conduct.~~
- ~~7.6.~~ Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
- ~~8.7.~~ Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
- ~~9.8.~~ Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be submitted in accordance with FB and the procedural safeguards handbook.
- ~~10.9.~~ Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.
- ~~11.10.~~ Complaints concerning instructional materials shall be submitted in accordance with EFA.

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

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	<p><del>12.11.</del> Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with CKE.</p> <p><del>13.12.</del> Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.</p> <p><del>14.13.</del> Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.</p>
NOTICE TO STUDENTS AND PARENTS	The District shall inform students and parents of this policy <b>through appropriate District publications.</b>
GUIDING PRINCIPLES INFORMAL PROCESS	<p>The Board encourages students and parents to discuss their concerns <del>and complaints through informal conferences</del> with the appropriate teacher, principal, or other campus administrator <b>who has the authority to address the concerns.</b></p> <p>Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.</p> <p><b>Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.</b></p>
FORMAL PROCESS	<p><del>If an informal conference regarding a complaint fails to reach the outcome requested by the student or parent,</del> the student or parent may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>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.</p>
FREEDOM FROM RETALIATION	Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.
GENERAL PROVISIONS FILING	Complaint forms and appeal notices may be filed by hand-delivery, <b>by electronic communication, including e-mail and fax, or by fax, or</b> 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. <b>Filings submitted by electronic communication</b> <del>Fax filings</del> shall be timely filed if they are received

	<p>by the close of business <del>on or before</del> the deadline, as indicated by the date/time shown on the <b>electronic communication</b> <del>fax copy</del>. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.</p>
<b>SCHEDULING CONFERENCES</b>	<p><b>The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student or parent fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the student's or parent's absence.</b></p>
RESPONSE	<p>At Levels One and Two, "response" shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered, <b>sent by electronic communication to the student's or parent's e-mail address of record</b>, or sent by U.S. Mail to the student's or parent's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.</p>
DAYS	<p>"Days" shall mean District business days. In calculating time lines under this policy, the day a document is filed is "day zero." The following business day is "day one."</p>
REPRESENTATIVE	<p>"Representative" shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.</p> <p>The student or parent may designate a representative through written notice to the District at any level of this process. If the student or parent 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. The District may be represented by counsel at any level of the process.</p>
CONSOLIDATING COMPLAINTS	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not <del>file</del> <b>bring</b> separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p>
UNTIMELY FILINGS	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process. The student or parent</p>

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

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may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

COSTS INCURRED

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

COMPLAINT AND  
APPEAL  
FORMS ~~FORM~~

Complaints **and appeals** 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 student or parent does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student or parent unless the student or parent did not know the documents existed before the Level One conference.

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

LEVEL ONE

Complaint forms must be filed:

1. Within 15 days of the date the student or parent 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.

In most circumstances, students and parents shall file Level One complaints with the campus principal.

If the only administrator who has 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 investigate as necessary and **schedule** ~~held~~ a conference with the student or parent within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.



**Absent extenuating circumstances, the**~~The~~ administrator shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint.

LEVEL TWO

If the student or parent did not receive the relief requested at Level One or if the time for a response has expired, the student or parent 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 of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The student or parent may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the student or parent at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall ~~schedule~~**hold** a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues **and documents considered**~~presented by the student or parent~~ at Level One **and identified in the Level Two appeal notice**. At the conference, the student or parent may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the student or parent a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG  
(LOCAL)

LEVELTHREE

Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

If the student or parent did not receive the relief requested at Level Two or if the time for a response has expired, the student or parent 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 of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The Superintendent or designee shall inform the student or parent 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 the record of the Level Two appeal. The student or parent may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

**The appeal shall be limited to the issues and documents considered at Level Two, except that if** ~~if~~ at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the hearing.

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 officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student or parent and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the admin-

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

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istration 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 student or parent or the student's representative, any presentation 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 the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

PUBLIC COMPLAINTS

GF  
(LOCAL)

COMPLAINTS

In this policy, the terms “complaint” and “grievance” shall have the same meaning.

OTHER COMPLAINT  
PROCESSES

Complaints by members of the public shall be filed in accordance with this policy, except as **required by the policies listed below. Some of these policies require appeals to be submitted in accordance with GF after the relevant complaint process provided below:**

1. Complaints concerning instructional materials shall be filed in accordance with EFA.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be filed in accordance with CKE.

GUIDING PRINCIPLES  
INFORMAL  
PROCESS

The Board encourages the public to discuss concerns ~~and complaints through informal conferences~~ with ~~an~~ appropriate administrator **who has the authority to address the concerns.** .-

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

**Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except by mutual written consent.**

FORMAL PROCESS

**An individual** ~~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.

GENERAL  
PROVISIONS  
FILING

Complaint forms and appeal notices may be filed by hand-delivery, **by electronic communication, including e-mail and fax, or by 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. **Filings submitted by electronic communication** ~~Fax filings~~ shall be timely filed if they are received **by the close of business on** ~~on or before~~ the deadline, as indicat-

ed by the date/time shown on the **electronic communication**~~fax copy~~. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

**SCHEDULING  
CONFERENCES**

**The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If the individual fails to appear at a scheduled conference, the District may hold the conference and issue a decision in the individual's absence.**

RESPONSE

At Levels One and Two, "response" shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, **sent by electronic communication to the individual's e-mail address of record**, or sent by U.S. Mail to the individual's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before 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." The following business day is "day one."

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. The District may be represented by counsel at any level of the process.

CONSOLIDATING  
COMPLAINTS

Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not **file**~~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 from the date of the written dismissal notice, starting at the level at which the

complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

COSTS INCURRED

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

COMPLAINT **AND**  
**APPEAL**  
**FORMS**~~FORM~~

Complaints **and appeals** 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 by the individual unless the individual did not know the documents existed before the Level One conference.

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

LEVEL ONE

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 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 investigate as necessary and **schedule**~~hold~~ a conference with the individual within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

**Absent extenuating circumstances, the**~~The~~ administrator shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any

other relevant documents or information the administrator believes will help resolve the complaint.

LEVEL TWO

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 of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

After receiving notice of the appeal, the Level One administrator shall prepare and forward a record of the Level One complaint to the Level Two administrator. The individual may request a copy of the Level One record.

The Level One record shall include:

1. The original complaint form and any attachments.
2. All other documents submitted by the individual at Level One.
3. The written response issued at Level One and any attachments.
4. All other documents relied upon by the Level One administrator in reaching the Level One decision.

The Superintendent or designee shall ~~schedule~~ ~~hold~~ a conference within ten days after the appeal notice is filed. The conference shall be limited to the issues **and documents** ~~considered~~ ~~presented by the individual~~ at Level One ~~and identified in the Level Two appeal notice~~. At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference.

The Superintendent or designee shall provide the individual a written response within ten days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee may consider the Level One record, information provided at the Level Two conference, and any other relevant documents or information the Superintendent or designee believes will help resolve the complaint.

Recordings of the Level One and Level Two conferences, if any, shall be maintained with the Level One and Level Two records.

LEVEL THREE

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 of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

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 the record of the Level Two appeal. The individual may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.

**The appeal shall be limited to the issues and documents considered at Level Two, except that if** ~~if~~ at the Level Three hearing the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the individual notice of the nature of the evidence at least three days before the hearing.

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 officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. 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 presenta-



PUBLIC COMPLAINTS

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tion 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 the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.