



## JUDSON INDEPENDENT SCHOOL DISTRICT

**Agenda Item:** Consider and take action regarding approving an amendment to the current JISD District of Innovation Plan seeking an exemption from: TEC §§ 26.011, 26A.001, 26A.002, 26A.003 regarding grievances.

Before SB 12/ Currently in Policies (FNG, DGBA, GF)	After SB 12	DSBC Recommendations
Although possible, current policy does not delegate Board authority to hear a grievance to a committee.	Board now has statutory authority to delegate to a Board Committee, with at least three members, the authority to hear and decide grievances.  For appeals to the Commissioner, the decision of the committee would be considered as the decision of the Board of Trustees.	<b>RECOMMENDATION</b> <b>Opt-Out of this section</b>  The DSBC feels the best decisions are made with input and feedback from all Board members.
Complaints should be filed with the lowest level administrator who has the authority to resolve the issue	Route grievances filed with wrong administrator to correct administrator and <b>keep original filing date for timeline purposes</b>	<b>RECOMMENDATION</b> Amend this section to ensure that the complaint can still be heard within a reasonable time but addresses if the routing error was a true mistake.  <i>“Route grievances filed with wrong administrator to the correct one and keep original filing date plus one day for timeline purposes.”</i>
Grievance filing deadlines were shorter, typically 15 business days. For <b>parents</b> to file, the deadline is <b>20 days</b> .	The deadline for <b>parents</b> to file a grievance is <b>extended to 60 days</b> . If the parent attempted an <b>informal resolution</b> , the deadline is <b>extended to 90 days</b> or 30 days from the date the	<b>RECOMMENDATION</b> Suggesting 30 business days to file, even if the parent attempted informal resolution; informal resolution is encouraged and can occur during any



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	district provided information to the parent about how to file a formal complaint.	time and level of the grievance process; ensures preservation of evidence  <i>"The deadline for parents to file a grievance is extended to 30 business days."</i>
Untimely grievances could be dismissed without making a decision on the merits	Require a <b>decision based on the merits of complaint</b> , notwithstanding procedural errors or type of relief requested; <b>requires a preliminary hearing to create a record</b> of the complaint	<b>RECOMMENDATION</b> <i>Opt-Out of this section</i>  This means a complaint must still be considered if filed outside of the timeline or if a procedural issue occurred, such as submitted complaint on wrong form.  The DSBC discussed that since timelines are already extended, specifically for parents, there is still ample opportunity to consider a complaint through the formal process. If there is merit to the complaint, administrators should still investigate and try to find resolution.
Hearings must be <b>scheduled within 10 days</b> of filing	Initial <b>hearings must be held within 10 calendar days</b> of filing.	<b>RECOMMENDATION</b> Hold hearing within 10 business days; avoids having to hold a hearing on a weekend or holiday  <i>"Initial hearings must be held within 10 business days."</i>
School board hearings (Level III) were often held in closed session.	If a grievant <b>requests it, the board must conduct a hearing in open session if</b>	<b>RECOMMENDATION</b> Abide by previous policy; protects the privacy and



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<b>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</b>	<b>the grievance is against a district employee.</b>	possible false claims against either person  <i>“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.”</i>
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### **To add in the Local Innovation Plan:**

#### **Grievance Policies**

According to the amended and newly created Texas Education Code Sections 26.011, 26A.001, 26A.002, and 26A.003, the Texas Education Code requires the Board of Trustees of each school district to adopt a grievance procedure that complies with Chapter 26A under which the board shall address each grievance that the Board receives concerning a violation of a right guaranteed by this chapter, of a Board of Trustees policy, or of a provision of this title.

Exemption from: TEC §§ 26.011, 26A.001, 26A.002, 26A.003

Related Board Policies: DGBA(LEGAL) FNG(LEGAL) GF(LEGAL)

#### **Manner in which statute inhibits the goals of the Plan**

Judson ISD follows long established grievance procedures as outlined in district policy for hearing complaints and are committed to complying with new statutes in the Texas Education Code with exemptions to certain subsections. Granting these exemptions will allow the District to resolve grievances more efficiently, apply consistent, reasonable timelines, maintain confidentiality and legal compliance, and ensure grievances are heard by the most appropriate decision-making body.



## Innovation Strategies

Judson ISD has and will continue to adhere to an established grievance policy with procedures and timelines as outlined in its local Board's policies DGBA, FNG and GF with exemptions to the following sub-sections.

1. The District seeks **exemption** from the Board of Trustees to delegate the authority to hear and decide a grievance to a committee of at least three members composed only of members of the board.
2. District seeks to **amend** the requirement to keep the original filing date for timeline purposes if a grievance is filed to the wrong administrator. ***The District recommends adding one business day to the original filing date to ensure that the complaint can still be heard within a reasonable time but addresses if the routing error was a true mistake.***
3. The District seeks to **amend** the requirement to extend the deadline for a parent to file a grievance to 60 days, and if the parent attempted an informal resolution, the deadline is extended to 90 days or 30 days from the date the district provided information to the parent about how to file a formal complaint. ***The District recommends extending the deadline for a parent to file a grievance to 30 days.***
4. The District seeks an **exemption** that requires a decision based on the merits of the complaint, notwithstanding procedural errors or type of relief requested; requires a preliminary hearing to create a record of the complaint. ***The District would still require the appropriate administrator to look into a complaint to determine if informal resolution is possible.***
5. The District seeks to **amend** the requirement to hold initial hearings within 10 calendar days of filing. ***The District recommends changing calendar days to business days.***
6. The District seeks **exemption** from the requirement to conduct a meeting in open session if the grievant requests it. ***The District will revert to prior policy which states: "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."***