

AB (LOCAL) DISTRICT NAME

Policy Service recommends revisions to this local policy to reflect current statutory provisions. The revised text lists the official name of the district as determined by the board and provides a basis for use of “the District” throughout the manual, consistent with policy style.

DFBB (LOCAL) TERM CONTRACTS
NONRENEWAL

Recommended revisions to this local policy include:

- Updated cross-references to the reduction in force policies at items 9 and 10 in the list of REASONS for nonrenewal; and
- The addition of a paragraph at REQUEST FOR HEARING explaining that the board will hold the hearing within 15 days of receiving the request for a hearing and will notify the employee of the hearing date as soon as it is set.

Please note: Your district’s current policy indicates that all nonrenewal hearings are held by the board. Please contact your policy consultant for alternative text if this does not reflect the practice in your district.

DFE (LOCAL) TERMINATION OF EMPLOYMENT
RESIGNATION

At CONTRACT EMPLOYEES, recommended language has been added to clarify that when an employee resigns effective at the end of the school year or submits a resignation after the last day of the school year and before the penalty-free resignation date, the district need not take action to accept the resignation because the resignation is considered to be automatically accepted upon receipt.

A second change is based on a recent Commissioner of Education proposal for decision, *Harris v. Fort Bend Independent School District*, which indicated that although the Education Code allows the board to delegate to one or more individuals the authority to consent to a resignation during the school year, it does not allow the board to grant to the superintendent the authority to further delegate that responsibility to another employee. As a result, we recommend revising the policy language to give the superintendent or other person designated by Board action the authority to accept these resignations.

In Update 42 to the *Regulations Resource Manual*, to be issued in October and made available in the Policy Service Resource Library on myTASB, Policy Service will provide a sample resolution for the board to document when the board has delegated to someone in addition to the superintendent the authority to consent to mid-year contract resignations.

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

Recommended changes clarify the types of complaints to which the district's complaint policy, DGBA(LOCAL), applies. Some employee complaints must be filed in accordance with another policy in lieu of being filed in accordance with DGBA(LOCAL). For example, an employee whose term contract has been proposed for nonrenewal must proceed in accordance with DFBB(LOCAL). Other complaints must be filed initially in accordance with another policy and then may proceed to DGBA(LOCAL) for further appeal. For example, if an employee files a sexual harassment complaint in accordance with DIA(LOCAL) and is dissatisfied with the outcome of the investigation, the employee may then appeal in accordance with DGBA(LOCAL).

To clarify when an employee should submit a complaint in accordance with a policy other than DGBA(LOCAL), recommended revisions:

- Move the OTHER COMPLAINT PROCESSES provision to the beginning of the policy;
- Reword the introductory sentence to indicate that the employee may need to file a complaint in accordance with another policy; and
- Provide better direction to other relevant policies.

The NOTICE TO EMPLOYEES about the complaint policy has also been moved closer to the beginning of the policy.

A revision at LEVEL THREE specifies that the Level Two record must include the notice of appeal from Level One to Level Two.

EIE (LOCAL) ACADEMIC ACHIEVEMENT
RETENTION AND PROMOTION

Recommended changes at CURRICULUM MASTERY include the addition of a statement that the district shall comply with state and federal requirements, as included in the policy manual at the referenced codes, when determining methods for students with disabilities or students who are English language learners to demonstrate mastery of the curriculum. This sentence replaces more detailed text, previously included in the policy at STANDARDS FOR MASTERY, that listed the ways that English language learners could demonstrate mastery.

Text on STUDENTS RECEIVING SPECIAL EDUCATION SERVICES was revised and moved to the beginning of the policy, but it retains the requirement that the ARD committee must determine any modified promotion standards for such students.

At ACCELERATED INSTRUCTION, we have deleted text indicating that accelerated instruction is only required for students in grades 3 through 8; accelerated instruction requirements apply to all students who fail a state-mandated assessment.

In addition, new text at GRADE ADVANCEMENT TESTING acknowledges the exception for a student assessed in reading or mathematics above his or her enrolled grade level from the requirement to pass the grade 5 and 8 state-mandated assessments in order to be promoted to the next grade level.

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

To coordinate with the changes to the employee complaint policy [see DGBA(LOCAL), above], recommended changes to this policy clarify the types of student and parent complaints to which the district's complaint policy, FNG(LOCAL), applies. Some student and parent complaints must be filed in accordance with another policy in lieu of being filed in accordance with FNG(LOCAL). For example, a parent's complaint about Section 504 services to a student with a disability must proceed in accordance with FB(LOCAL). Other complaints must be filed initially in accordance with another policy and then may proceed to FNG(LOCAL) for further appeal. For example, if a student files a bullying complaint in accordance with FFI(LOCAL) and is dissatisfied with the outcome of the investigation, the student may then appeal in accordance with FNG(LOCAL).

To clarify when a student or parent should submit a complaint in accordance with a policy other than FNG(LOCAL), recommended revisions:

- Move the OTHER COMPLAINT PROCESSES provision to the beginning of the policy;
- Reword the introductory sentence to indicate that the student or parent may need to file a complaint in accordance with another policy and provide better direction to other relevant policies;
- Include retaliation from bullying at item 4;
- Include complaints concerning final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program at item 8; and
- Include complaints concerning admission, placement, or services provided for a homeless student at item 14.

The NOTICE TO STUDENTS AND PARENTS about the complaint policy has also been moved closer to the beginning of the policy.

A revision at LEVEL THREE specifies that the Level Two record must include the notice of appeal from Level One to Level Two.

GF (LOCAL) PUBLIC COMPLAINTS

To coordinate with the changes to the employee and student and parent complaint policies [see DGBA(LOCAL) and FNG(LOCAL), above], recommended changes to this policy clarify the types of complaints listed at OTHER COMPLAINT PROCESSES that must be filed initially in accordance with another policy and then may proceed to GF(LOCAL) for appeal.

To clarify when a member of the public should submit a complaint in accordance with a policy other than GF(LOCAL), recommended revisions:

- Move the OTHER COMPLAINT PROCESSES provision to the beginning of the policy;
- Reword the introductory sentence to indicate that a member of the public may need to file a complaint in accordance with another policy; and
- Provide better direction to the other relevant policies.

A revision at LEVEL THREE specifies that the Level Two record must include the notice of appeal from Level One to Level Two.