



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC First Reading of LOCAL Polices in TASB Update 101

SUBMITTED BY: Gloria S. Rendon **OF:** Associate Supt. for Administration

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: March 25, 2015

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees approve First Reading of LOCAL Polices in TASB Update 101.

BE (LOCAL): BOARD MEETINGS

CH (LOCAL): PURCHASING AND ACQUISITION

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

DK (EXHIBIT): ASSIGNMENT AND SCHEDULES

EB (LOCAL): SCHOOL YEAR

EHBC (LOCAL): SPECIAL PROGRAMS - COMPENSATORY/ACCELERATED SERVICES

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

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

FMG (LOCAL): STUDENT ACTIVITIES – TRAVEL

GF (LOCAL): PUBLIC COMPLAINTS

RATIONALE:

BUDGETARY INFORMATION:

BOARD POLICY REFERENCE AND COMPLIANCE:

(LOCAL) Policy Comparison Packet

Each marked-up (LOCAL) policy in this collection reflects an automated comparison of the updated policy with its precursor, as found in the TASB Policy Service records.

The comparison is generated by an automated process that shows changes as follows.

- *Deletions* are shown in a red strike-through font: ~~deleted text~~.
- *Additions* are shown in a blue, bold font: **new text**.
- Blocks of text that have been *moved* without alteration are shown in green, with double underline and double strike-through formatting to distinguish the text's destination from its origin: ~~moved text~~ becomes moved text.
- *Revision bars* appear in the right margin, as above.

While the annotation software competently identifies simple changes, large or complicated changes—as in an extensive rewrite—may be more difficult to follow.

To see these same annotations in Word format, where you can further modify the text or alter the presentation of tracked changes themselves, see “(LOCAL) Policy Comparison (Word docs/Zip),” also found online in Local Manual Updates.

For further assistance in understanding changes, please refer to the explanatory notes in your Localized Policy Manual update packet or contact your policy consultant.

BOARD MEETINGS

BE
(LOCAL)

MEETING PLACE AND
TIME

~~The Unless otherwise provided in the notice for a Board meeting, Board meetings shall reflect the date, time, and location of be held at the meeting, Student Activity Center.~~

REGULAR MEETINGS
MEETING TIME

Regular meetings of the Board shall normally be held on the third Wednesday of each month beginning at 6:00 p.m. 6:30 p.m., 6:00 p.m., with public comments followed by the regular Board meeting agenda items. The executive session items shall be considered at the end of the regular action items. 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 Boardtime 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 three twothree members of the Board.

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

Upon receipt of such a request, the Board President shall hold the special or emergency meeting no later than the next regularly scheduled Board meeting.

AGENDA

DEADLINE

All Board member Trustee-requested agenda items shall be discussed and considered at the business ~~and/or~~ and/or instructional committee meetings prior to the inclusion of the items on the Board's regular and/or special meeting agenda. Agenda items that are not discussed and considered at the business ~~and/or~~ instructional committee meetings shall not be placed on the agenda unless approved by the Board President.

DEADLINE

The deadline for submitting items for inclusion on the agenda is ~~noon of the seventh the thirdseventh~~ calendar day before ~~regularthe regularly scheduled committee~~ meetings, and ~~noon of the the thirdseventh~~ calendar day before special meetings to allow the administration time to prepare documentation.

PREPARATION

In consultation with the Board President, the Superintendent shall prepare the agenda for all Board meetings. The Superintendent shall have the authority to request items to be included on an agenda for a special or regular Board meeting. Board members Trustees must submit a request to the Board President ~~and~~ Superintendent that a subject be included on the agenda for

BOARD MEETINGS

BE
(LOCAL)

	<p>a meeting. Board members<u>Trustees</u> may submit an agenda item request via counsel.</p> <p>Before the official agenda is finalized for the regular Board 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 any three Board members<u>Trustees</u> have requested to be placed on the instructional<u>Instructional</u> or business<u>Business</u> meeting agenda to be addressed are either on that agenda or scheduled for deliberation at an appropriate time in the near future, but not<u>no</u> later than one month after the submission of the requested agenda items by the Board or any three Board members<u>Trustees</u>. The Board President shall not have authority to remove from the agenda a subject requested by three Board members<u>Trustees</u> without those Trustees'<u>those Trustees'</u> specific authorization <u>from those Board members</u>.</p>
POSTING / DISTRIBUTION	<p>Agendas of all Board meetings shall be posted in the central office and on all District campuses. The Superintendent or designee shall distribute the agenda to all District campuses at the time the agenda is posted in the central office.</p>
NOTICE TO MEMBERS	<p>Members of the Board shall be given notice of regular and special meetings at least 72 hours prior to the scheduled time of the meeting 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, <u>in accordance with as provided by law.</u> [See BEC]</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>Each Board member's vote, or failure to vote, shall be recorded in the following manner:</p>

BOARD MEETINGS

BE
(LOCAL)

1. Unanimous, when all vote "aye."
2. Names of persons who vote "aye."
3. Names of persons who vote "nay."
4. Names of persons abstaining.

If at a regular meeting a motion ends in a tie vote, only by a majority vote of all members present can this motion be considered in a second regular meeting.

CONSENT AGENDA

When the agenda is prepared, the committee chairpersons shall recommend to the Board President and Superintendent items 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 by one vote of the Board.

MINUTES

Board action shall be carefully recorded by the Board 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 Board President and the Board Secretary of the Board.

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.

DISCUSSIONS AND
LIMITATION

Discussions shall be addressed to the Board President of the Board and then the entire membership. Discussion shall be directed solely to the business currently under deliberation, and the 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.

Board members shall silence or turn off all electronic devices, including pagers and cellular phones, during all portions of the meeting, open or closed sessions.

PURCHASING AND ACQUISITION

CH
(LOCAL)

PURCHASING
AUTHORITY

The Superintendent or designee shall determine the method of purchasing to be used, in accordance with CH(LEGAL), and to make budgeted purchases or purchases otherwise authorized by Board action unless state law requires the Board to make or approve a purchase.

Requests to participate in procurement programs authorized under Government Code 791.001 and 791.011—interlocal agreements authorized under Government Code 791.025(b)(c); the state purchasing program authorized under Local Government Code 271.083; or cooperative purchasing programs authorized by Local Government Code 271.102—shall be submitted to the Board for consideration and approval. District participation in these programs shall satisfy all state requirements regarding competitive procurement methods.

With the exception of purchases made via an interlocal agreement, a purchasing cooperative, and/or the state-approved contract, all transactions and/or contracts valued at \$50,000 or more per year, either as a single purchase or in the aggregate, shall require prior approval from the Board.

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 with 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. On bids that are not required by law, the Board shall consider price, quality, suitability of the product, the bidder's references and record for responsibility, the bidder's knowledge of the product, and service.

For the purchase of like items from unapproved vendors in the amount of \$10,000 to \$49,999.99, written quotes shall be obtained by the District's purchasing department to determine the best value to the District. For purchases of like items from unapproved vendors in the amount of \$1,000 to \$9,999.99, written quotes shall be obtained by the requestor and verified by the District's purchasing department. A policy of obtaining quotes for price comparisons shall be a continuing process to ensure the District's receipt of the lowest prices for supplies and materials.

All records regarding District bids shall be kept on file in the business office.

PURCHASING AND ACQUISITION

CH
(LOCAL)

EMERGENCY PURCHASES	In emergency situations, the Superintendent may approve, to the extent permitted by law, the purchase of supplies, equipment, or services for less than \$50,000 without the quote requirement. Such emergency purchases shall be disclosed to the Board at the next regularly scheduled Board meeting.
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 rule 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 offer 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.
CREDIT CARDS	The District shall have only one credit card account, which shall be chosen and maintained by the Superintendent. Purchases made with the District credit card shall only be for purposes related to District business. The Superintendent shall be the only District employee with permission to authorize use of the District credit card by another District employee. The Superintendent shall establish procedures for use of the credit card account so that all use is thoroughly documented. Any points earned through the use of the District's credit card shall be the property of the District and shall be used only for the benefit of the District, its students, or the uses related to the District's educational purpose, as approved by the Superintendent.
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.

PURCHASING AND ACQUISITION

CH
(LOCAL)

[See CE] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. ~~Persons; 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.

CRIMINAL HISTORY

The District shall not consider for contract approval a business whose owner or operator has a criminal record that includes a conviction, deferred adjudication, or plea of guilt or *nolo contendere* for any felony offense.

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 and, as authorized by the Superintendent.

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	<p>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.</p>
FORMAL PROCESS	<p>An employee if an informal mediation conference regarding a complaint fails to reach the outcome requested by the employee, he or she 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	<p>Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.</p>
WHISTLEBLOWER COMPLAINTS	<p>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]</p> <p>In accordance with Texas Government Code, Section 554.002, regarding prohibited retaliation for reporting a violation of law, a state or local governmental entity shall not suspend or terminate the employment of or take other adverse personnel action against a public employee who in good faith reports a violation of law by the employing governmental entity or other public employee to an appropriate law enforcement authority. In this policy, a report is made to an appropriate law enforcement authority if the authority is a part of the state or local governmental entity or of the federal government that the employee in good faith believes is authorized to:</p> <ol style="list-style-type: none">1. Regulate under or enforce the law alleged to be violated in the report; or2. Investigate or prosecute a violation of criminal law. <p>Complaints that do not meet the elements of a whistleblower grievance by law shall be routed to begin at Level One.</p>

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

COMPLAINTS AGAINST
SUPERVISORS

Complaints alleging a supervisor's violation of law or the supervisor's unlawful harassment of the employee may be made to the Superintendent who shall assign a hearing officer to hear such grievance, beginning at the mediation conference level. Complaint formsA complaint alleging a violation of law by the Superintendent or the Superintendent's unlawful harassment of an employee may be submittedmade directly to the Board.

GENERAL
PROVISIONS
FILING

Complaints/Grievances shall be filed with the complainant's immediate supervisor on the District's complaint/grievance form 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. Grievance forms may be obtained from the department of human resources or on the District's website under the department of human resources. In most circumstances, employees on a school campus or in a District department shall file complaints/grievances with the campus principal or department administrator, as applicable.

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

Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including e-mail and fax, email, or by U.S. Mail. A complaint filed by e-mailemail shall be copied to the director of employee relations. If the director of employee relations is not copied on the e-mailemail, the complaint shall be deemed filed when the administrator confirms receipt of the complaint. 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 communicationFax filings shall be timely filed if they are received by the close of business on or before the deadline, as indicated by the date/time shown on the electronic communicationfax 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.

All complaints shall be signed by the grievant or representative; however, a representative shall submit written authorization, signed by the employee, whichthat specifically allows the representative to act on behalf of the employee during the grievance process.

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.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

RESPONSE	<p>At Levels One and Two, "response" shall mean a written communication to the employee from the appropriate administrator. Responses may be hand-delivered, <u>sent by electronic communication to the employee's e-mail address of record</u>, or sent by U.S. Mail to the employee's mailing address of record or emailed to the last known email address of the employee and the employee's representative, as applicable. 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 (as determined by the academic calendar), 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."</p>
REPRESENTATIVE	<p>"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.</p> <p>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.</p> <p>Representatives shall conduct themselves with common courtesy and respect for the rights of others. If, at any level, a representative is deemed to be unruly, disrespectful, or disruptive to the hearing process, the grievance hearing shall be concluded and the employee and representative shall be issued a decision based upon the written record and oral arguments set forth by the grievant and representative, as applicable. The District shall have the authority to remove a disruptive representative from the premises. Additionally, after an examination of the facts, if the Superintendent deems the representative has been disruptive in a repetitive manner, he or she may issue a letter of warning to the complainant's representative. If the representative continues to display the same disruptive conduct, the Superintendent may deny the representative further opportunities to represent future complainants.</p>
CONSOLIDATING COMPLAINTS	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not <u>file</u> 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. If the employee submits a grievance that is a duplicate of a prior grievance, the department of human resources may dismiss the complaint without the necessity of a hearing.</p>

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Each employee shall file his or her grievance individually, unless a group of employees has the same or similar complaint and the Superintendent or designee determines that the complaints can be grouped together and the hearing process can proceed in a collective manner.

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.

COSTS INCURRED

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

COMPLAINT AND
APPEAL
FORMSFORM

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 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.

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.

SCHEDULING
CONFERENCES

All conferences shall take place during normal District business hours. However, the grievance hearing shall normally be scheduled during non-instructional time or at a time when the employee is not engaged in the regular performance of his or her duties. All participants, including witnesses, shall be released from regular duties if the grievance hearing is scheduled during the workday and shall suffer no loss of pay or other benefits if, and only if, they receive prior approval from their immediate supervisor. To minimize disruption in the workplace, supervisors shall work with the hearing officer, the grievant, and the administration, as necessary, to schedule the grievance during non-instructional time or when the

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

	<p>employee has finished his or her workday and effectively manage release time for other employee participants in the conference.</p>
STATEMENT OF PARTICULARS	<p>If a complaint is found to be too vague, general, or indefinite at any level of this policy, the time lines at the complaint level shall be held in abeyance, during which time the complainant shall be required to prepare a written statement of particulars, setting out with specificity the act(s) and/or omission(s) complained of in order to afford the respondent with fair notice and an opportunity to adequately respond in writing to each charge or offer a remedy. If the complainant or his or her representative does not adequately address the vague, general, or indefinite complaint within three days of written notification, the complaint shall be dismissed.</p> <p>The Superintendent's designee may conduct a pre-hearing conference or make such other orders as may be deemed necessary or appropriate to clarify issues, afford the respondent with fair notice and an opportunity to respond and assist in the resolution process.</p>
DESIGNATED PARTIES	<p>For purposes of hearing a complaint at both the informal and formal complaint conference, the designated party shall be assigned by the Superintendent.</p>
PROCESSING A GRIEVANCE	<p>The procedure for processing a grievance is as follows:</p>
MEDIATION CONFERENCE	<p>At the time the employee files his or her complaint/grievance, the employee shall have an informal mediation conference with the immediate supervisor, except that a District ombudsman may be in attendance herein to resolve the complaint, prior to entering the formal complaint process. Upon receipt of the complaint, the ombudsman may conduct a preliminary investigation. The immediate supervisor shall schedule and conduct an informal mediation conference within ten40 days of receipt of the complaint or at a time mutually agreeable to the parties. At the informal conference, the following shall be discussed: (i) the concern, (ii) the justification or rationale for the concern, (iii) the harm sustained or being sustained by the employee, and (iv) the remedy sought for resolution.</p> <p>The employee(s), the immediate supervisor, and/or the District ombudsman shall endeavor to reach an agreement resolution of the concern. If resolution is reached, the complaint is resolved. If resolution is not reached, the employee may invoke the formal complaint process.</p>
OMBUDSMAN	<p>The ombudsman shall be appointed by the Superintendent. The ombudsman shall be an employee who is responsible for serving as a resource to employees by assisting in preventing or eliminating conditions that are not conducive to a positive working environment. Although the ombudsman shall not mandate resolution,</p>

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

the ombudsman may make recommendations to the employee and/or the immediate supervisor for resolution of concerns. Recommendations of the ombudsman are for the sole purpose of resolving controversial issues and may not be used by the party complaining or the party being complained against for any purpose.

At the conclusion of the informal mediation conference, a determination shall be finalized in which the ombudsman shall issue a mediation summary/agreement signed by all parties.

- 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.
- MUTUAL AGREEMENT OF THE PARTIES | The parties involved may mutually consent to modify the procedure as necessary to accomplish the goal of resolving the dispute in the most efficient and expeditious manner possible.
- WITHDRAWAL | An employee may withdraw his or her complaint at any time. Once withdrawn, a complaint shall not be reconsidered.
- A dispute shall be considered withdrawn if an employee fails to pursue the complaint or otherwise is deemed to be unreasonably protracting the process.
- FORMAL PROCESS | The formal complaint process shall consist of three levels. Level One and Level Two shall be closed to the public and the employee's designated representative shall be the only other person in attendance. A Level Three presentation to the Board shall be held within a properly posted Board meeting. The Board shall determine whether the hearing will be held in open or closed session, except that the hearing shall be held in closed session upon the request of the employee who is the complainant in the dispute. An exception to this practice shall be when the employee against whom the complainant or charge was made makes a written request for the hearing to be held in open session.
- LEVEL ONE | If resolution of the complaint is not reached at the mediation complaint/grievance level, the employee may enter the Level One complaint process and request a formal meeting with the immediate supervisor or designee within seven days of the mediation conference, unless the time has been extended by written agreement. The Superintendent shall appoint another administrator to serve as the Level One hearing officer when the complaint is against the administrator who would normally hear the Level One complaint.
- A Level One conference shall be conducted within ten days of notice by the employee requesting to enter the Level One complaint

process. The supervisor or designee shall notify the employee of the date, time, and place of the conference at which time the complaint shall be reviewed with the employee. The administrator may set reasonable time limits for the conference.

~~Absent extenuating circumstances, the~~The administrator shall provide the employee a written response within 14 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, which may include but are not limited to written statements, documents from the employee's personnel file, prior disciplinary memos, education records, ~~and the like, etc.,~~ or information the administrator believes will help resolve the complaint.

The Level One conference shall not provide for cross-examination of any witnesses, nor shall this conference in any way resemble and evidentiary hearing. Each side shall simply make presentations to the Level One administrator within the allotted time period.

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 seven days of the date of the written Level One response or, if no response was received, within seven days of the Level One response deadline. The employee may not appeal any part of a complaint of which said remedy has been granted at a prior level.

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, ~~remedies,~~ 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 14 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, ~~including.~~

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 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 seven days of the date of the written Level Two response or, if no response was received, within seven days of the Level Two response deadline. The employee may not appeal any part of a complaint of which said remedy has been granted at a prior level.

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 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 District reserves the right to redact confidential information, as required by law.

5. Other documents exchanged by the parties at least five days prior to the Level Three hearing.

The appeal shall be limited to the issues and documents considered at Level Two, except that 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 Board shall consider only those issues, remedies, 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 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 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.

ASSIGNMENT AND SCHEDULES

STATE BOARD FOR EDUCATOR CERTIFICATION
CRITERIA FOR ASSIGNMENT OF PUBLIC SCHOOL PERSONNEL

A public school employee must have the appropriate credentials for his or her current assignment unless the appropriate permit has been issued. The credentials appropriate to each assignment are set forth in the State Board for Educator Certification (SBEC) rules at 19 Administrative Code Chapter 231.

The following chart indicates where the credentialing requirements for various positions are located in the SBEC rules.

Category	Positions
Prekindergarten–Grade 6 Assignments. <i>19 TAC 231, Subch. B</i>	<ul style="list-style-type: none"> • Teachers
Grades 6–8 Assignments. <i>19 TAC 231, Subch. C</i>	<ul style="list-style-type: none"> • Teachers
Grades 6–12, Elective, Disciplinary, Local Credit, and Innovative Courses. <i>19 TAC 231, Subch. D</i>	<ul style="list-style-type: none"> • JROTC • Athletics, cheerleading, drill team, and marching band • DAEP • Advanced Placement and International Baccalaureate • Driver Education
Grades 9–12 Assignments. <i>19 TAC 231, Subch. E</i>	<ul style="list-style-type: none"> • Teachers
Special Education and Related Services Personnel. <i>19 TAC 231, Subch. F</i>	<ul style="list-style-type: none"> • Special Education Teachers • Teachers of Adaptive Physical Education • Full-time teachers of orthopedically impaired or other health impaired in a hospital class or home-based instruction • Teachers of students with visual impairments • Teachers of students with auditory impairments • Teachers of gifted and talented students • Special Education Counseling • Educational Diagnostician • Speech Therapy Services • Vocational Adjustment Counseling

ASSIGNMENT AND SCHEDULES

DK
(EXHIBIT)

Category	Positions
Paraprofessional Personnel. <i>19 TAC 231.641</i>	<ul style="list-style-type: none">• Educational Aides
Administrators and Other Instructional and Professional Support Personnel. <i>19 TAC 231.643</i>	<ul style="list-style-type: none">• Superintendent• Principal• Assistant Principal• School Counselor• Librarian• Athletic Director
Licensed Professional Support Personnel. <i>19 TAC 231.645</i>	<ul style="list-style-type: none">• Associate School Psychologist• Audiologist• Licensed Professional Counselor• Marriage and Family Therapist• Nurse• Occupational Therapist• Physical Therapist• Physician• School Psychologist• Social Worker• Speech Language Pathologist

United ISD
240903

SCHOOL YEAR

EB
(LOCAL)

SCHOOL CALENDAR

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

SCHOOL CLOSURE

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

Students at all grade levels who have been identified as being at risk of dropping out of school, who are not performing at grade level, or who did not perform satisfactorily on a state-mandated assessment, shall be provided accelerated and/or compensatory educational services based on needs assessment. The principal shall ensure that each identified student is receiving services.

The services provided each student shall be consistent with the goals and strategies established in the District and campus improvement plans and shall be reviewed for effectiveness at the close of each grading period. Parents shall be encouraged to participate in the planning of educational services for their child and shall be kept informed regarding the child's progress toward educational goals.

Parents of students who are not successful in meeting requirements for promotion shall be informed of any available options, such as an extended year program or summer school.

[See EIE]

~~TEXAS ACCELERATED
SCIENCE
ACHIEVEMENT
PROGRAM GRANT~~

~~The District shall offer an after school tutorial program with instruction on the Biology TEKS. Eligible students shall receive instruction at United South High School and L.B. Johnson High School from District science teachers.~~

~~ELIGIBILITY~~

~~A student shall be eligible for participation in the grant program upon recommendation from his or her science teacher and one of the following:~~

- ~~1. Failed grade 8 science TAKS.~~
- ~~2. Failed the first nine weeks of instruction in either the fall or spring semester of Biology.~~
- ~~3. Poor performance and/or low class average in Biology.~~

~~PARENT
NOTIFICATION~~

~~Parents shall be notified by mail that their child has been recommended for participation in the program.~~

~~STUDENT
RECRUITMENT~~

~~Campus counselors shall meet with eligible students to encourage participation in the program.~~

~~EVALUATION~~

~~Upon completion of the program, a student's progress shall be documented using scores on science TAKS benchmark tests and the final grade in Biology.~~

United ISD
240903

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).

Notice of Employee Responsibilities for Reporting Child Abuse and Neglect

What are the District's policies addressing child abuse or neglect and my responsibilities for reporting suspected child abuse or neglect?

The applicable District policies—FFG(LEGAL) and (LOCAL), GRA(LEGAL) and (LOCAL), and DH(LOCAL) and (EXHIBIT)—are enclosed in this packet. This distribution is required by state law. At regular intervals, these policies will be addressed in staff development as well. If you have any questions about these policies, please contact Mrs. Rita Garner, Director of Employee Relations, at (956) 473-6351.

What are my legal responsibilities for reporting if I suspect that a child has been or may be abused or neglected?

Anyone who suspects that a child has been or may be abused or neglected has a legal responsibility, under state law, for reporting the suspected abuse or neglect to law enforcement or to Child Protective Services (CPS).

Any District employee, agent, or contractor has an additional legal obligation to submit the oral or written report within 48 hours of learning of the facts giving rise to the suspicion.

An employee will make a report if the employee has cause to believe that an adult was a victim of abuse or neglect as a child and the employee determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

Are there any restrictions on reporting?

Under state law, an employee is prohibited from using or threatening to use a parent's refusal to consent to administration of a psychotropic drug or to any other psychiatric or psychological testing or treatment of a child as the sole basis for making a report of neglect, unless the employee has cause to believe that the refusal:

- Presents a substantial risk of death, disfigurement, or bodily injury to the child; or
- Has resulted in an observable and material impairment to the growth, development, or functioning of the child.

To whom do I make a report?

Reports may be made to any of the following:

- A law enforcement agency: The City of Laredo Police Department, at (956) 795-2899;
- The CPS division of the Texas Department of Family and Protective Services, at (800) 252-5400 or on the web at www.txabusehotline.org; or

- If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to CPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

Reporting your suspicion to a school counselor, a principal, or another school staff member does NOT fulfill your responsibilities under the law. Furthermore, the District cannot require you to report your suspicion first to a school administrator.

Will my report be kept confidential?

State law requires that the identity of a person making a report of suspected child abuse or neglect be kept confidential.

Will I be liable in any way for making a report?

A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.

What will happen if I don't report suspected child abuse or neglect?

By failing to report a suspicion of child abuse or neglect:

- You may be placing a child at risk of continued abuse or neglect;
- You are violating the law and may be subject to legal penalties, including criminal sanctions;
- You are violating Board policy and may be subject to disciplinary action, including possible termination of your employment; and
- Your certification from the State Board for Educator Certification may be suspended, revoked, or canceled.

What are my responsibilities regarding investigations of abuse or neglect?

State law specifically prohibits school officials from:

- Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect; or
- Requiring that a parent or school employee be present during the interview.

School personnel must cooperate fully and may not interfere with an investigation of reported child abuse or neglect.

STUDENT ACTIVITIES
TRAVEL

FMG
(LOCAL)

SCHOOL-SPONSORED
TRIPS IN GENERAL

~~Students who must travel to participate in school-sponsored activities shall ride in transportation provided by the school to and from the event. In the event school-provided transportation is not available, or the parent elects an alternate mode of transportation for the student, the appropriate alternate travel release form must be submitted to the sponsor for approval.~~

~~The District shall not be liable for any injuries that occur to students riding in vehicles that are not provided by the school.~~

~~All student travel shall have prior approval of the principal, the athletic director, or appropriate executive director.~~

OVERNIGHT TRIPS

~~The Superintendent may permit students to take school-sponsored overnight trips for the following purposes:~~

- ~~1. Instructional purposes (field trips and excursions).~~
- ~~2. Activities of school-sponsored or sanctioned clubs or organizations.~~
- ~~3. UIL or other sanctioned competitions.~~

OUT-OF-STATE TRIPS

~~The Superintendent may also permit students to take out-of-state school-sponsored trips for the following purposes:~~

- ~~1. Instructional purposes (field trips and excursions).~~
- ~~2. Activities of school-sponsored or sanctioned clubs or organizations.~~
- ~~3. UIL or other sanctioned competitions.~~

~~Travel out of the state or country shall be approved by the appropriate executive director, the principal, and the Superintendent. Out-of-country trips shall also require Board approval. Approval shall be requested at least 30 days prior to planned departure date, except under extenuating circumstances, and no funds shall be expended until approval of travel is granted.~~

~~All trips outside the state shall meet administrative guidelines and shall be approved before any fund-raising activities are planned or held. All plans and preparations for such trips or events shall remain tentative until final approval is received.~~

PERMISSION SLIPS

~~An approved permission form shall be signed by a parent/guardian prior to a student's participation in a school-sponsored trip. For a student to participate, District employees who are acting as sponsors are responsible for obtaining a signed form for each student prior to the trip.~~

STUDENT ACTIVITIES
TRAVEL

FMG
(LOCAL)

TRAVEL SUPERVISION ~~School-sponsored trips shall be supervised by at least one District employee. At least one adult sponsor or volunteer for every ten students shall accompany students and help provide supervision. Adult sponsors and volunteers who are not District employees shall be recruited at the earliest possible date. All adult sponsors and volunteers shall be cleared as "parent volunteers" prior to supervising, and must comply with all District requirements and guidelines. [See GK(G)(LOCAL)]~~

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.
- 2.3. Complaints by employees, parents or students shall be routed through DGBA and FNG policies as required.

GUIDING PRINCIPLES
INFORMAL
PROCESS

The Board encourages the public to discuss concerns ~~and complaints through informal conferences~~ with anthe 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 or before the deadline, as indicated by the date/time

	<p>shown on the <u>electronic communication</u>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.</p>
<u>SCHEDULING CONFERENCES</u>	<p><u>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.</u></p>
RESPONSE	<p>At Levels One and Two, "response" shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, <u>sent by electronic communication to the individual's e-mail address of record</u>, 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.</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 an individual to represent the individual in the complaint process.</p> <p>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.</p>
CONSOLIDATING COMPLAINTS	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not <u>file</u>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.</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 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.</p>

PUBLIC COMPLAINTS

GF
(LOCAL)

COSTS INCURRED

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

COMPLAINT AND
APPEAL
FORMSFORM

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 refileing is within the designated time for filing a complaint.

STATEMENT OF
PARTICULARS

If a complaint is found to be too vague, general, or indefinite at any level of this policy, the time lines at the complaint level shall be held in abeyance, during which time the complainant shall be required to prepare a written statement of particulars setting out with specificity the act(s) and/or omission(s) complained of in order to afford the respondent with fair notice and an opportunity to adequately respond in writing to each charge or offer a remedy.

The Superintendent's designee may conduct a pre-hearing conference or make such other orders as may be deemed necessary or appropriate to clarify issues, afford the respondent with fair notice and an opportunity to respond, and assist in the resolution process.

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 14 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 seven days of the date of the written Level One response or, if no response was received, within ~~ten~~seven 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 14 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

LEVEL THREE

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 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 seven days of the date of the written Level Two response or, if no response was received, within ~~tenseven~~ 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 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 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.