



(LOCAL) Policy Comparisons

These documents are generated by an automated process that compares the updated policy to the current policy as found in TASB records.

In this packet, you will find:

- Policies being recommended for revision (annotated)
- New policies (not annotated)
- Policies recommended for deletion (annotated in PDF; not shown in Word)

Annotations are shown as follows:

- Deletions are in a red strike-through font: ~~deleted text~~.
- Additions are in a blue font: new text.
- Blocks of text that were moved without changes are shown in green, with double underline and double strike-through formatting to distinguish the text's new placement from its original location: ~~moved text~~ becomes moved text.
- Revision bars appear in the right margin to show sections with changes.

Note: While the annotation software competently identifies simple changes, large or complicated changes — as in an extensive rewrite — may be more difficult to follow. In addition, TASB's recent changes to the policy templates to facilitate accessibility sometimes make formatting changes appear tracked, even though the text remains the same.

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

Contact us:

School Districts and Education Service Centers, call 800-580-7529 or email policy.service@tasb.org.

Community Colleges, call 800-580-1488 or email colleges@tasb.org.

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| Plan | The District shall develop a cybersecurity plan to secure the District's cyberinfrastructure against a cyberattack or any other cybersecurity incidents, determine cybersecurity risk, and implement appropriate mitigation planning. |
| Coordinator | The Superintendent shall designate a cybersecurity coordinator. The cybersecurity coordinator shall serve as the liaison between the District and the Texas Education Agency in cybersecurity matters. |
| Training | <p>The Board delegates to the Superintendent the authority to:</p> <ol style="list-style-type: none">1. Determine the cybersecurity training program to be used in the District;2. Verify and report compliance with training requirements in accordance with guidance from the Department of Information Resources Texas Cyber Command; and3. Remove access to the District's computer systems and databases for noncompliance with training requirements as appropriate. <p>The District shall complete periodic audits to ensure compliance with the cybersecurity training requirements.</p> |
| Security Breach and Cybersecurity Incident Notifications | <p>Upon discovering or receiving notification of a breach of system security or a security cybersecurity incident, as defined by law, the District shall disclose the breach or incident to affected persons or entities and provide any other notices in accordance with the time frames established by law. The District shall give notice by using one or more of the following methods:</p> <ol style="list-style-type: none">1. Written notice.2. Email, if the District has email addresses for the affected persons.3. Conspicuous posting on the District's websites.4. Publication through broadcast media. <p>The District shall disclose a breach or incident involving sensitive, protected, or confidential student information as required by law.</p> |

Training

The Board delegates to the Superintendent the authority to:

1. Determine the artificial intelligence (AI) training program to be used in the District;
2. Verify and report compliance with training requirements in accordance with guidance from the Department of Information Resources; and
3. Remove access to the District's computer systems and databases for noncompliance with training requirements as appropriate.

The District shall complete periodic audits to ensure compliance with the AI training requirements.

Use in District

Employees and students shall be permitted to explore AI and implement its use in and out of the classroom in accordance with policy and administrative regulations. The use of AI shall only be as a support tool to enhance student outcomes and shall never take the place of teacher and student decision-making. Any use of AI must comply with law, policy, and administrative regulations relating to student and employee privacy and data security.

A student shall only use AI tools with teacher permission and shall be expected to produce original work and properly credit sources, including AI tools used in creating the work. Students who use AI tools to deceptively harm, bully, or harass others shall be disciplined in accordance with the Student Code of Conduct and policy. [See EIA(LOCAL), FFH, FFI, and the FO series]

Building Access Control

Audits of building access control shall include weekly inspections of instructional facilities during school hours to certify all exterior doors are, by default, set to closed, latched, and locked status and cannot be opened from the outside without a key.

The Superintendent shall ensure that the findings of the weekly inspections are:

1. Reported to the District safety and security committee; and
2. Reported to the campus principal or lead administrator of the instructional facility to ensure awareness of any deficiencies identified.

The campus principal or lead administrator shall assign appropriate staff to take action to reduce the likelihood of similar deficiencies in the future.

The results of the weekly reports shall be kept for review as part of the required safety and security audit.

The District's building access control procedures shall not be interpreted as discouraging parents or guardians who have been properly verified as authorized visitors from visiting their student's campus. [See GKC]

Designation and Use of Private Spaces

The Board shall ensure that the Superintendent, or appropriate staff as determined by the Superintendent, designates private spaces in accordance with law.

The Superintendent shall develop administrative regulations to ensure compliance with law and policy regarding the use of private spaces in District facilities.

Complaints

~~This policy provides employees with descriptions of orderly informal and formal processes for the prompt and equitable resolution of grievances when a concern has not been resolved. The Board intends that, whenever feasible, grievances be resolved at the lowest possible administrative level. This policy shall not be construed to create new or additional rights beyond those granted by Board policy or law.~~

~~The terms "complaint" and "grievance" shall have the same meaning. A grievance under this policy may include, but shall not be limited to, any of the following:~~

- ~~1. Grievances concerning an employee's wages, hours, or conditions of work.~~
- ~~2. Specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, or disability.~~
- ~~3. Specific allegations of unlawful discrimination or retaliation on the basis of the employee's exercise of constitutional rights.~~
- ~~4. Whistleblower complaints.~~

~~Other Complaint Processes/ Exclusions~~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 ~~or are excluded from eligibility for consideration under this policy~~has been followed:

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 ~~the DIA series~~.
2. Complaints alleging certain forms of harassment, including harassment by a supervisor and violation of Title VII, shall be submitted in accordance with ~~the DIA series~~.
3. Complaints concerning retaliation ~~relating~~related to discrimination and harassment shall be submitted in accordance with ~~the DIA series~~.
4. Complaints concerning instructional resources shall be submitted in accordance with the EF series.

5. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with the CKE series.
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.
8. ~~Complaints related to reports to Child Protective Services or Adult Protective Services made pursuant to the requirements of Section 261.101 of the Texas Family Code.~~
9. ~~Complaints where the relief sought by the grievant has already been granted at a prior administrative level or through informal conference or other similar means.~~
10. ~~Complaints where the grievant fails to state specific relief sought that applies to the grievant directly, or that cannot be granted by the hearing officer or Board.~~

**Notice to
Employees**
**Notice to
Employees**
Guiding Principles

Informal Process

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

~~The Board encourages employees to discuss their concerns 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 and on the District's website.~~

~~Although encouraged, an informal conference with the principal~~
~~The Board encourages employees to discuss their concerns with their supervisor, principal, or other appropriate administrator is not required prior to filing a complaint under this policy, and does not stop, pause, or toll the timelines set forth in this policy. The timelines included herein apply regardless of the conduct or results of an informal conference.~~
~~campus or District 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.

Filing Deadlines

If an employee has engaged in the informal process in an attempt to resolve the complaint with the District and has not reached a resolution during the process, the employee must file a complaint within 15 business 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.

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.~~

Deadline Extensions

All deadlines shall be strictly followed unless otherwise required by law or modified by mutual written consent.

Formal Process

An employee may initiate the formal process described below by timely filing a written complaint form.

~~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.~~

~~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. 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.~~

The complaint form shall be filed with the lowest level administrator who has the authority to remedy the alleged problem. In most circumstances, the employee shall file Level One complaints with the campus principal for any complaint on a matter related to a campus. For a complaint that arises on a matter that is unrelated to a campus, the complaint shall be filed with the appropriate District-level administrator.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the Superintendent, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

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.

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| <u>Option to Continue Informal Process</u> | <u>Even after initiating the formal complaint process, the employee is encouraged to seek informal resolution of their concerns. An employee whose concerns are resolved may withdraw a formal complaint at any time.</u> |
| <u>Notice of Complaint</u> | <u>A District employee against whom a complaint has been filed shall be provided notice of the complaint in accordance with administrative regulations. The employee shall have sufficient opportunity to submit a written response to the complaint that shall be included in the record of the complaint.</u> |
| Freedom from Retaliation | Neither the Board nor any District employee shall unlawfully retaliate against <u>any</u> employee for bringing a <u>grievance under this policy</u> . [See DG] <u>concern or complaint</u> . |
| 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. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee Timelines 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 . <u>Complaint forms</u> . <u>Complaints</u> alleging a violation of law by the Superintendent may be submitted directly to the Board or <u>Board's</u> designee. |
| <u>Direct Communication with Board Members</u> | <u>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.</u> |
| General Provisions Filing | Complaint forms and appeal notices may be filed by hand-delivery, <u>by</u> electronic communication, including email and fax, or <u>or by</u> 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 shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are post-marked by U.S. Mail on <u>or before</u> the deadline and received by the appropriate administrator or designated representative. Level One grievances must be filed with the campus principal, if the employee works on a campus, or the director or executive director of the department in which the employee works. |

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| | <p>Level Two grievance appeals must be filed with the Employee Hearing officer in the Department of Human Resources.</p> <p>Level Three grievance appeals must be filed directly with the office of the Superintendent.</p> <p>Failure to file a grievance with the appropriate District official listed above shall not constitute proper filing, and the applicable timeline for filing shall continue to run and not be tolled in any way. Should a grievant not file with the appropriate District official as set forth in this policy, and the timeline expires, any subsequent filing of the grievance shall be considered untimely.</p> |
| <u>Response</u> | <p>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 email 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.</p> |
| <u>Days</u> | <p>"Days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."</p> <p><u>Representative no more than three business days after the deadline.</u></p> |
| <u>Days</u> | <p><u>"Days" shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."</u></p> |
| <u>Scheduling Hearings</u> | <p><u>The District shall make reasonable attempts to schedule hearings at a mutually agreeable time. If the employee fails to appear at a scheduled hearing, the District may hold the hearing and issue a decision in the employee's absence.</u></p> |
| <u>Decision</u> | <p><u>A "decision" shall mean a written communication to the employee from the appropriate administrator that provides an explanation of the basis of the decision, an indication of each document that supports the decision, and any relief or redress to be provided. A decision shall be issued on the merits of the concern raised in the complaint notwithstanding any procedural errors or the type of relief or redress requested.</u></p> <p><u>The decision shall also include information regarding the filing of an appeal in accordance with this policy. After a hearing at Level Three, the decision shall include information on submitting an appeal to the commissioner.</u></p> |

Representative

A decision may be hand-delivered, sent by electronic communication to the employee's email address of record, or sent by U.S. Mail to the employee's mailing address of record. Mailed decisions shall be timely if they are postmarked by U.S. Mail on or before the deadline.

"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~~the employee 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 business days' notice to the District before a scheduled hearing, the District may reschedule the 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 file To promote efficiency in addressing complaints, the appropriate administrator shall determine if separate or serial complaints arising from any an 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.~~

Group
Grievances

~~Public employees may present grievances individually or as a group.~~

~~When the Superintendent or designee determines, based upon his or her own discretion or with information provided, that two or more individual grievances are sufficiently similar in nature and remedy to permit their resolution through one proceeding, he or she may consolidate the grievances. The factors to be considered by the Superintendent or designee include but are not limited to the common nature of the complaint and remedy sought, common interests of the grievants, and the timeliness of each individual's complaint.~~

Untimely Filings

~~All timelines 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.~~

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| | <p><u>Costs Incurred</u> related events shall be consolidated.</p> |
| <u>Costs Incurred</u> | <p>Each party shall pay its own costs incurred in the course of the complaint.</p> |
| <u>Initiating Grievance</u> | <p><u>Unless otherwise specified in policy, an employee shall initiate a grievance as provided at Level One, below.</u></p> |
| <u>Prerequisites</u> | <p><u>A grievance shall be considered by the Level One administrator only when it complies with all of the following requirements:</u></p> <ol style="list-style-type: none"><u>1. The grievance must be in writing on a form or in the format provided by the District, dated, and signed by the grievant or by his or her representative. Any documentation the grievant would like considered during the grievance should be attached to the form.</u><u>2. The grievance must contain a statement of the facts and circumstances upon which the grievance is based, including the names of any persons involved or who have information relating directly to the grievance, the date, and a description of the event(s) or incident(s) giving rise to the grievance.</u><u>3. The grievance must contain:</u><ol style="list-style-type: none"><u>a. A reference to the law or policy alleged to have been violated or the dissatisfaction raised by the employee;</u><u>b. The resulting harm or damage alleged to have occurred; and</u><u>c. The remedy or remedies sought.</u><u>4. The grievance must be timely filed.</u><u>5. The grievance must include the name, address, telephone number, and email address of the person who will represent the grievant, if any.</u><u>6. If two or more individuals seek to file a grievance as a group, each individual grievant must sign the employee complaint form required at Level One.</u> |
| <u>Complaint and Appeal Forms</u> | <p><u>Complaints and appeals under this policy shall be submitted on a form provided by the District.</u></p> <p><u>Copies of any documents that support the complaint should be included with the complaint form. If the employee does not have copies of these documents, copies may be presented at the Level One hearing. After the Level One hearing, the employee may supplement the record with additional documents or include additional claims.</u></p> |
| DATE ISSUED: <u>6/11/2024</u> <u>11/2025</u> UPDATE <u>4/23/2026</u> DBA(LOCAL) <u>X</u> <u>A</u> <u>X</u> | Adopted: <u>9/9/2024</u> |
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| <u>Record</u> | <u>A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the employee who filed the complaint, documents determined relevant by District personnel, and the decision.</u> |
| <u>Remand</u> | <u>A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.</u> |
| <u>Assignment of Hearing Officer</u> | <u>If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.</u> |
| <u>Investigation</u> | <u>When a District employee is the subject of a complaint, the hearing shall be conducted by an administrator who is in a supervisory or higher organizational role. The District employee who is the subject of the complaint shall recuse themselves from reviewing the complaint at any level in the process.</u> |
| <u>Audio Recording</u> | <u>The District may conduct an investigation at any level in the complaint process. If the District and the employee mutually agree, all deadlines shall be suspended during an investigation.</u> |
| <u>Complaint Levels</u> | <p>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. The District shall have the option of audio recording any conference or hearing under this policy.</p> <p>If an employee has chosen not to engage in the informal process to resolve the complaint with the District, the grievance must be filed within 10 business days of the time the employee first knew or should have known of the event or series of events about which the employee is complaining. An employee who has a grievance shall request At Level One, the appropriate hearing officer shall hold a hearing with the principal or immediate supervisor by submitting the grievance in writing on a form or in the format provided by the District to the appropriate individual as listed above. The grievance must be filed within ten days of the time the employee first knew or should have known of the event or series of events about which the employee is complaining. All documentary evidence relied upon by the employee must be submitted at Level One. Additional material may only be provided by the employee at Level Two in response to documentary evidence produced or relied upon by the Superintendent or designee at Level Two [see Level</p> |
| Level One | |

~~Two, below] employee within 10 calendar business days after receipt of the written complaint. The hearing officer may set reasonable time limits for the hearing.~~

~~The principal or supervisor shall schedule the hearing within ten days after receipt of the written request. If the grievant fails to appear at a scheduled hearing, the hearing may nevertheless go forward without the grievant. The principal or supervisor shall respond in writing no more than ten days following the hearing, except where there are extenuating circumstances that prevent the principal or supervisor from doing so. hearing officer shall provide the employee a decision within 20 calendar business days following the hearing. In reaching a decision, the hearing officer may consider information provided with the complaint form and any other relevant documents or information the hearing officer believes will help resolve the complaint.~~

Level Two

~~If the outcome of the hearing at Level One is not to the employee's satisfaction employee did not receive the relief requested at Level One or if the time for a response decision has expired, the employee may request a hearing with the Superintendent or designee to discuss the grievance. The request shall be in writing on a form or in the format provided by the District and must be filed no later than ten days following receipt of a written response or, if no written response is received, no later than ten days after the response deadline. [See DGBA(EXHIBIT)]at Level Two to appeal the Level One decision.~~

~~The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar business days of the date of the Level One decision or, if no decision has been communicated to the employee, within 20 calendar business days of the Level One decision deadline.~~

~~The Superintendent or designee shall schedule the hearing within ten days after receipt of the written request. The Superintendent or designee shall respond in writing no later than ten days following the hearing.~~

~~If during the consideration of the grievance at Level Two the Superintendent or designee determines that additional information may be necessary in order to render a decision, the time for responding to the employee shall be extended by ten days. Any documentary evidence upon which a decision is based at Level Two shall be provided to the employee to the extent permitted by law.~~

~~Should the employee choose to submit a response, clarification, or further documentary evidence in response to additional information provided to the employee by the Superintendent or designee, the~~

~~employee must do so within ten days of receipt of these additional materials. The Level Two decision will then be rendered or the complaint will be remanded to Level One within ten days after the receipt of the employee's reply. If the employee chooses not to submit a response to the additional information provided by the District, the normal timelines for issuing a decision will be followed.~~After receiving notice of the appeal, the Level One hearing officer shall prepare and forward a record of the Level One complaint to the Level Two hearing officer and provide a copy of the Level One record to the employee.

The Level One record shall include:

1. The original complaint form and any attachments.
2. Any other documents submitted by the employee at Level One.
3. If the complaint is against a District employee, the written response of the District employee, if any.
4. The decision issued at Level One and any attachments.
5. All other documents relied upon by the Level One hearing officer in reaching the Level One decision.

The hearing officer shall hold a hearing within 10 calendar business days after the appeal notice is filed. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the employee a decision within 20 calendar business days following the hearing. In reaching a decision, the hearing officer may consider the Level One record, any additional information provided prior to the Level Two hearing, and any other relevant documents or information the hearing officer believes will help resolve the complaint.

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

Level Three

~~If the outcome of the hearing at Level Two is not to the employee's satisfaction, employee did not receive the relief requested at Level Two or if the time for a response decision has expired, the employee may request to place the matter on the agenda of a future Board meeting. [See BE(LOCAL)] The request shall be in writing on a form or in the format provided by the District and must be filed within ten days following receipt of a written response or, if no written response is received, within ten days of the response deadline. [See DGBA(EXHIBIT)] appeal the decision to the Board.~~

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar business days of the date of the Level Two decision or, if no decision has been communicated to the employee, within 20 calendar business days of the Level Two decision deadline.

Unless the Board delegates a committee in accordance with law, the Board shall hear the appeal of the Level Two decision.

~~The Superintendent or designee shall inform the employee of the date, time, and place of the meeting.~~

~~The Superintendent or designee shall provide the Board with copies of the employee's original grievance, all responses, and any written documentation previously submitted by the employee and the administration. No new documentary evidence may be submitted at Level Three~~After receiving notice of the appeal, the Board or Board committee shall hold a meeting to discuss the complaint no later than 60 calendar business days after the date on which the Level Two decision was made.

The Superintendent shall inform the employee whether the Board or a Board committee will hear the appeal and of the date, time, and place of the meeting at which the complaint will be on the agenda for presentation to the Board or Board committee.

At least five business days before the Board or Board committee meeting, the Superintendent shall provide the employee a description of any information the Board intends to rely on that is not contained in the record created at the previous hearing levels, including any preliminary hearing.

~~The presiding officer may set reasonable time limits. The Board shall hear the grievance and may request a response from the administration. The District shall make an audiotape record of the Level Three proceeding before the Board~~Superintendent 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.
- 7.3. Any other documents submitted by the employee at Level Two.

~~The Board shall then make and communicate its decision orally or in writing at any time up to and including the next regularly sched-~~

~~uled Board meeting. If for any reason the Board fails to reach 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.~~

Closed Meeting

~~If the grievance involves the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the employee bringing the grievance, it may be heard by the Board in closed meeting unless the employee bringing the grievance requests that it be heard in public.~~

Exception

- ~~4. However, if the grievance involves a complaint or charge against another District employee or a Board member, it shall be heard in closed meeting unless an open meeting is requested in writing by the employee or Board member against whom the complaint or charge is brought.~~decision issued at Level Two and any attachments.
5. All other documents relied upon by the administration in reaching the Level Two decision.

The employee may request that the complaint be heard in open or closed meeting. The District shall honor that request unless the Texas Open Meetings Act or other applicable law requires otherwise. [See BE]

At the meeting, 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 Board members.

In addition to any other record of the meeting required by law, the Board or Board committee 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 Board members with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board or Board committee shall then consider the complaint. It shall make a decision no later than 30 calendar business days after the date of the Board or Board committee meeting at which the complaint was presented. The employee shall be provided a decision in accordance with this policy and state law.

**Instructional Plan
and Course Syllabus**

Prior to the beginning of each semester, each teacher shall provide a copy of the teacher's instructional plan or course syllabus for each class for which the teacher provides instruction.

The teacher shall provide this information to the District administration and the parent of each student enrolled in the teacher's class. Additional copies of the instructional plan or course syllabus shall be made available to a parent of a student enrolled upon that parent's request.

District Website

The Superintendent shall develop administrative procedures for the posting of the instructional plans and course syllabi for each class offered in the District on the District's website.

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| Release from School | A student shall not be released from school at times other than regular dismissal hours except with the permission of the principal of the school. The teacher shall determine that such permission has been granted before allowing the student to leave. |
| Exception for Released Time Course | <p>For purposes of this policy, a "released time course" shall have the same definition as provided in law.</p> <p>A student shall be permitted to attend a released time course in accordance with the following requirements:</p> <ol style="list-style-type: none">1. The parent or guardian has provided written consent for the student to attend the released time course;2. The private entity offering the released time course maintains attendance records and will make those records available to the District;3. The private entity, parent or guardian, or student assumes responsibility for transportation, including transportation for a student with a disability, to and from the location at which the released course is offered;4. The private entity assumes liability for the student enrolled in the released time course while the student is under the private entity's care; and5. The student is responsible for any school work and assignments issued during the student's absence from the District. <p>The District shall be prohibited from using District funds, excluding de minimis costs, to facilitate the student attending a released time course.</p> <p>A private entity shall be prohibited from offering the released time course on District property unless the use is in accordance with policy GKD.</p> <p>The District shall not interfere with a parent's or guardian's ability to request or access a released time course for the student.</p> |

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| Threat Assessment and Safe and Supportive Team | In compliance with law, the Superintendent shall ensure that a multidisciplinary threat assessment and safe and supportive team is established to serve each campus. The Superintendent shall appoint team members. The team shall be responsible for developing and implementing a safe and supportive school program at each campus served by the team and shall support the District in implementing its multi-hazard emergency operations plan. |
| Training | Each team shall complete training provided by an approved provider on evidence-based threat assessment programs. |
| Student Reports | Each campus shall establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate District employee. |
| Employee Confidentiality | A District employee who reports a potential threat may elect for the employee's identity to remain confidential and not be subject to disclosure under the state's public information law. The employee's identity shall only be revealed when necessary for the team, the District, or law enforcement to investigate the reported threat. |
| Notification to Teaching Staff of Threat | <p>The District shall maintain a record of the identity of a District employee who elects for the employee's identity to remain confidential.</p> <p>As soon as safe and practicable after an administrator or team receives information regarding a threat against a campus, including a threat made through social media, the appropriate administrator or the team shall immediately provide to each member of the teaching staff, including teacher aides, who may be directly affected by the threat a statement containing the following information:</p> <ol style="list-style-type: none">1. The existence of the threat;2. The nature of the threat; and3. Any other pertinent detail to ensure student and staff safety. <p>The Superintendent shall develop administrative regulations to ensure that the required notice is provided to the teaching staff in accordance with law. The administrative regulations may also address notification of other appropriate employees on the affected campus.</p> |
| Imminent Threats or Emergencies | A member of the team or any District employee may act immediately to prevent an imminent threat or respond to an emergency, including contacting law enforcement directly. |
| Threat Assessment Process | The District shall develop procedures as recommended by the Texas School Safety Center. In accordance with those procedures, |

the threat assessment and safe and supportive team shall conduct threat assessments using a process that includes:

1. Identifying individuals, based on referrals, tips, or observations, whose behavior has raised concerns due to threats of violence or exhibition of behavior that is harmful, threatening, or violent.
2. Conducting an individualized assessment based on reasonably available information to determine whether the individual poses a threat of violence or poses a risk of harm to self or others and the level of risk.
3. Implementing appropriate intervention and monitoring strategies, if the team determines an individual poses a threat of harm to self or others. These strategies may include referral of a student for a mental health assessment and escalation procedures as appropriate.

For a student or other individual the team determines poses a serious risk of violence to self or others, the team shall immediately report to the Superintendent, who shall immediately attempt to contact the student's parent or guardian. Additionally, the Superintendent shall coordinate with law enforcement authorities as necessary and take other appropriate action in accordance with the District's multihazard emergency operations plan.

For a student the team identifies as at risk of suicide, the team shall follow the District's suicide prevention program.

For a student the team identifies as having a substance abuse issue, the team shall follow the District's substance abuse program.

For a student whose conduct may constitute a violation of the District's Student Code of Conduct, the team shall make a referral to the campus behavior coordinator or other appropriate administrator to consider disciplinary action.

As appropriate, the team may refer a student:

1. To a local mental health authority or health-care provider for evaluation or treatment; or
2. For a full individualized and initial evaluation for special education services.

The team shall not provide any mental health-care services, except as permitted by law.

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| Guidance to School Community | The team shall provide guidance to students and District employees on recognizing harmful, threatening, or violent behavior that may pose a threat to another person, the campus, or the community and methods to report such behavior to the team, including through anonymous reporting. |
| Reports | The team shall provide reports to the Texas Education Agency as required by law. |

DRAFT

Note: See policies DHB and DHC for information on other required reports regarding alleged misconduct against a student.

The District shall notify a parent of a student with whom ~~an-educator~~ a District employee or a person acting as a service provider for the District is alleged to have engaged in misconduct, informing the parent:

1. As soon as feasible that the alleged misconduct may have occurred;
2. Whether the ~~educator~~individual was terminated following an investigation of the alleged misconduct or resigned before completion of the investigation; and
3. Whether a report was submitted to the Texas Education Agency or State Board for Educator Certification (~~SBEC~~) concerning the alleged misconduct.

For purposes of this policy, misconduct is defined as an ~~educator's~~individual's alleged abuse or commission of an otherwise unlawful act with ~~the~~a student or involvement in a romantic relationship, or soliciting or engaging in sexual contact with ~~the~~a student.

Except as provided by state law regarding child abuse investigations, the District shall notify a parent not later than one business day after the date an employee first suspects that a criminal offense has been committed against the parent's child.

[See also FFG for reporting requirements related to child abuse and FFH for parental notification requirements regarding prohibited conduct as defined by that policy.]

Notice of Suspected Criminal Offense

**Program to Address
Child Sexual Abuse,
Trafficking, and
Maltreatment**

The District's program to address child sexual abuse, trafficking, and other maltreatment of children, as included in the District improvement plan and the student handbook, shall include:

1. Methods for increasing staff, student, and parent awareness regarding these issues, including prevention techniques and knowledge of likely warning signs indicating that a child may be a victim;
2. Age-appropriate, research-based antivictimization programs for students;
3. Actions that a child who is a victim should take to obtain assistance and intervention; and
4. Available counseling options for affected students.

Training

The District shall provide training to employees as required by law and District policy. Training shall address techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children, including children with significant cognitive disabilities. [See DMA]

[See BBD for Board member training requirements and BJCB for Superintendent continuing education requirements.]

**Reporting Child
Abuse and Neglect**

Any person who has reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a legal responsibility, under state law, to immediately report the suspected abuse or neglect to an appropriate authority.

As defined in state law, child abuse and neglect include both sex and labor trafficking of a child.

The following individuals have an additional legal obligation to submit a written or oral report within 4824 hours of learning of the facts giving rise to the suspicion of abuse or neglect:

1. Any District employee, agent, or contractor who suspects a child's physical or mental health or welfare has been adversely affected by abuse or neglect.
2. A professional who has reasonable cause to believe that a child has been or may be abused or neglected or may have been a victim of indecency with a child. A professional is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified.

A person is required to make a report if the person has reasonable cause to believe that an adult was a victim of abuse or neglect as a

child and the person 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.

[For parental notification requirements regarding an allegation of educator misconduct with a student, see FFF.]

Oral Reports

As required by law, an oral report made to the Texas Department of Family and Protective Services (DFPS) is recorded.

Restrictions on Reporting

In accordance with 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:

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

Making a Report

Reports may be made to any of the following:

1. A ~~state or local~~ law enforcement agency, as defined in law;
2. The Child Protective Services (CPS) division of DFPS at 800-252-5400 or the Texas Abuse Hotline website¹;
3. A local CPS office; or
4. 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 DFPS, 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. As defined by law, a person responsible for the care, custody, or welfare of a child includes school personnel and volunteers and day-care workers. [See FFG(LEGAL)]

An individual does not fulfill his or her responsibilities under the law by only reporting suspicion of abuse or neglect to a campus principal, school counselor, or another District staff member. Furthermore, the District is prohibited from requiring an employee to first report his or her suspicion to a District or campus administrator.

In accordance with law, an individual must provide their name and telephone number when making a report. If the individual making the report is a school employee, agent, or contractor, they must also provide their business address and profession.

Confidentiality

The identity of a person making a report of suspected child abuse or neglect shall be kept confidential and disclosed only in accordance with the law and the rules of the investigating agency.

Immunity

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.

**Failing to Report
Suspected Child
Abuse or Neglect**

By failing to report suspicion of child abuse or neglect, an employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report;
3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment; and
4. May have his or her certification from the State Board for Educator Certification suspended, revoked, or canceled in accordance with 19 Administrative Code Chapter 249.

It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

**Responsibilities
Regarding
Investigations**

In accordance with law, District officials shall be prohibited from:

1. Denying an investigator's request to interview a child at school in connection with an investigation of child abuse or neglect;
2. Requiring that a parent or school employee be present during the interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

District personnel shall cooperate fully and without parental consent, if necessary, with an investigation of reported child abuse or neglect. [See GKA]

¹ Texas Abuse Hotline website: <http://www.txabusehotline.org>

Definitions Complaints

In this policy, the terms "complaint" and "grievance" shall be used interchangeably and mean anything the parent or student has disagreement or concern with. Additionally, in this policy, the term "parent" shall include either a parent or guardian of a student or students be used interchangeably and mean anything the parent or student has disagreement or concern with. Additionally, in this policy, the term "parent" shall include either a parent or guardian of a student or students have the same meaning.

Days

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

Certain Complaints

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below.

Other Complaint Processes

Student or parent complaints shall be filed in accordance with this policy, except as required by the policies listed below.

1. Complaints alleging discrimination or harassment based on race, color, religion, sex, gender, national origin, age, or disability shall be submitted in accordance with the FFH-series.
2. Complaints concerning dating violence shall be submitted in accordance with the FFH-series.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with the FFH-series.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
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.
8. Complaints within the scope of Section 504, including complaints concerning identification, evaluation, or educational placement of a student with a disability, shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints within the scope of the Individuals with Disabilities Education Act, including complaints concerning identification,

evaluation, educational placement, or discipline of a student with a disability, shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.

10. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with the CKE series.
12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.
14. ~~Complaints related to reports to Child or Adult Protective Services made pursuant to the requirements of Section 261.101 of the Texas Family Code are excluded.~~
15. ~~14. Complaints related to program changes or boundary changes from one school to another school within the District are excluded.~~
16. ~~Complaints concerning on-campus distribution of nonschool materials to students shall be submitted in accordance with FNAA.~~
17. ~~Complaints where the relief sought by the grievant has already been granted at a prior administrative level or through an informal conference are excluded.~~
18. ~~Complaints where the grievant fails to state specific relief sought that applies to the grievant directly, or that cannot be granted by the hearing officer, are excluded.~~
19. ~~15. Complaints related to administrative transfers including, but not limited to, school choice decisions are excluded.~~
20. ~~16. Complaints related to residential and enrollment eligibilities are excluded.~~
21. ~~17. Complaints concerning disputes regarding a student's eligibility for free or reduced-priced meal programs shall be submitted in accordance with COB.~~

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as

necessary to permit the complainant to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Notice to Students and Parents

The District shall inform students and parents of this policy through appropriate District publications ~~including~~ and on the District's website.

Guiding Principles ~~Informal Process~~

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other ~~appropriate campus or District~~ 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.

Filing Deadlines

After Informal Process

~~Although encouraged, an informal conference with the principal or other appropriate administrator is not required prior to filing a complaint under this policy. Should, however, a student or parent initiate an informal process with the principal or other appropriate administrator, and the process does not result in a resolution of the concerns raised, the student or parent may initiate the formal grievance process on or before ten days of the date the informal process is concluded. For purposes of this policy, the informal process is concluded when the principal or appropriate administrator communicates his or her response to the concerns to the student or parent.~~ If a student or parent has engaged in the informal process in an attempt to resolve the complaint with the District and has not reached a resolution during the process, the student or parent shall have the later of:

- Ninety ~~calendar days~~ to file a complaint from 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
- Thirty ~~calendar days~~ to file a complaint from the date on which the District provided information to the student or parent regarding how to file a grievance.

[See Formal Process, below]

No Prior Informal Process

If the student or parent has not engaged in the informal process, the student or parent shall have no more than 60 ~~calendar days~~ from 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 to file a complaint using the appropriate forms.

Deadline Extensions

All deadlines shall be strictly followed unless otherwise required by law or modified by mutual written consent.

Formal Process

A student or parent may initiate the formal process described below by timely filing a written complaint form.

~~Even after initiating the formal complaint process, students and parents are encouraged to work with staff to seek resolution of their concerns. A student or parent 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.

~~Announcement of a decision in the student's or parent's presence shall constitute communication of the decision. In addition, a written response shall be provided to the student or parent of the decision at the same time.~~

~~In the event that the remedy or remedies sought by a student or parent in the grievance are granted at one level, the student or parent shall not be permitted to appeal that issue further because the requested relief shall have been given to the student or parent. Any attempt to appeal a remedy granted in full to a student or parent shall be immediately dismissed.~~ The complaint form shall be filed 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 for any complaint on a matter related to a campus. For a complaint that arises on a matter that is unrelated to a campus, the complaint shall be filed with the appropriate District-level administrator.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the Superintendent, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

A Board member shall be permitted to file a complaint under this policy, but, if the complaint is considered by the Board or Board committee, the Board member shall be prohibited from voting on the Board's or Board committee's decision.

~~If a decision maker can grant some of the relief sought, they shall handle the grievance in accordance with this policy and identify the remedy or remedies they do not have the authority to grant and who does have the authority in their written response. If the response is not to the satisfaction of the student or parent, the student or parent may submit a written request, in the format provided by the District, to file at the next level.~~ the complaint is not filed with

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| | <p>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> |
| Option to Continue Informal Process | <p>Even after initiating the formal complaint process, the complainant is encouraged to seek informal resolution of their concerns. A complainant whose concerns are resolved may withdraw a formal complaint at any time.</p> |
| Notice of Complaint | <p>A District employee against whom a complaint has been filed shall be provided notice of the complaint in accordance with administrative regulations. The employee shall have sufficient opportunity to submit a written response to the complaint that shall be included in the record of the complaint.</p> |
| Freedom from Retaliation | <p>Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint under this policy.</p> |
| General Provisions | <p>Level One grievances shall be filed directly with the principal, assistant principal, or designee of the campus. A principal, assistant principal, or his or her designee who receives a Level One grievance shall, within two days, confirm receipt of a grievance by emailing the appropriate executive director of school administration and the executive director of pupil personnel services as well as the grievant and a minor grievant's parent or guardian as applicable.</p> <p>Level Two and Three grievances, should they be necessary, shall be filed directly to the office of the Executive Director of Pupil Personnel Services, 8961 Tesoro Drive, Suite 306, San Antonio, Texas 78217 or by email to grievances@neisd.net.</p> <p>Level Four grievances shall be filed directly to the office of the Superintendent of Schools, 8961 Tesoro Drive, Suite 602, San Antonio, Texas 78217 or by email to grievances@neisd.net.</p> <p>Any District official who receives a grievance, and is not the appropriate official, shall direct the individual to the executive director of pupil personnel services.</p> |
| Filing of Complaint | <p>Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by 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 shall be timely filed if they are received by the end close of business on the deadline day, as indicated by the date/time shown on the electronic communication. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received by</p> |

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| <p>Written Response Scheduling Hearings</p> | <p>the appropriate administrator or designated representative no more than three business days after the deadline.</p> <p>The written response may be picked up by the complainant or delivered by electronic communication, including email and fax, or U.S. certified mail. If the student or parent elects to pick up the written response, it shall be considered delivered on the date it is available for pick up regardless of whether the student or parent picks it up or not. Filings submitted by electronic communication shall be timely sent by the end of the deadline day, as indicated by the date/time shown on the electronic communication. Certified mail responses shall be considered timely if they are postmarked on or before the end of the deadline day. In cases of certified mail, it is the responsibility of the recipient to obtain the mailing upon notice from the postal service that a certified mail is available. Failure to do so shall not toll the timelines in this policy. District shall make reasonable attempts to schedule hearings at a mutually agreeable time. If a complainant fails to appear at a scheduled hearing, the District may hold the hearing and issue a decision in the complainant's absence.</p> |
| <p>Decision</p> | <p>A "decision" shall mean a written communication to the complainant from the appropriate administrator that provides an explanation of the basis of the decision, an indication of each document that supports the decision, and any relief or redress to be provided. A decision shall be issued on the merits of the concern raised in the complaint notwithstanding any procedural errors or the type of relief or redress requested.</p> <p>The decision shall also include information regarding the filing of an appeal in accordance with this policy. After a hearing at Level Four, the decision shall include information on submitting an appeal to the commissioner.</p> |
| <p>Representative</p> | <p>"Representative" shall mean any person who or organization that is designated by the student or parent complainant to represent the student or parent complainant in the complaint process. A student may be represented by an adult at any level of the complaint.</p> <p>The student or parent complainant may designate a representative through written notice to the District at any level of this process. If the student or parent The representative may participate in person or by telephone conference call. If the complainant designates a</p> |

Consolidating
Complaints

representative with fewer than three ~~business days~~business days notice to the District before a scheduled ~~conference hearing~~conference hearing, the District may reschedule the ~~conference hearing~~conference 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.

~~Untimely Filings~~

~~Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file~~To promote efficiency in addressing complaints, the appropriate administrator shall determine if separate or serial complaints arising from ~~any~~an event or series of ~~events that have been or could have been addressed in a previous complaint~~events that have been or could have been addressed in a previous complaint.

~~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 student or parent, at any point during the complaint process. related events shall be consolidated.~~

Costs Incurred

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

Level One

Not the ISD parent

015010 has a
complaint that has

~~STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES~~

~~conference shall
request a Level One
conference with the
principal within ten
days of the time the
student or parent
knew, or should
have known, of the
event or series of
events causing the
complaint. The
principal shall
Record
schedule a
conference with the
student or parent
within ten days of
the request. In order
to initiate this
process, the student
or parent must~~

~~Remaind
provide the
principal, assistant
principal, or campus
designee, in writing
in the format
provided by the~~

~~Assignment of
Docket, the
complaint and relief
sought. [See
FNG (EXHIBIT)]~~

~~If requested, the
principal may assist
the student or
parent in completing
the required form.~~

~~Complaint Levels
evidence relied
Level One~~

~~upon by the student
or parent must be
provided to the
principal at the
conference. The
principal shall have
ten days following
the conference
within which to~~

~~Level Two
Request in writing,
except where there
are extenuating
circumstances that
prevent the principal~~

~~DATE ISSUED 06/15/2024 11/2025~~

~~UPDATE 123126~~

~~FNG (LOCAL)~~

~~Level One decision,
the principal shall~~

FNG
(LOCAL)

Complaints and appeals under this policy shall be submitted on a form provided by the District.

Copies of any documents that support the complaint should be included with the complaint form. If the complainant does not have copies of these documents, copies may be presented at the Level One hearing. After the Level One hearing, the complainant may supplement the record with additional documents or include additional claims.

A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the complainant, documents determined relevant by District personnel, and the decision.

A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.

If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.

When a District employee is the subject of a complaint, the hearing shall be conducted by an administrator who is in a supervisory or higher organizational role. The District employee who is the subject of the complaint shall recuse themselves from reviewing the complaint at any level in the process.

The District may conduct an investigation at any level in the complaint process. If the District and the complainant mutually agree, all deadlines shall be suspended during an investigation.

At Level One, the appropriate hearing officer shall hold a hearing with the complainant within 10 ~~calendar~~ days after receipt of the written complaint. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the complainant a decision within 20 ~~calendar~~ days following the hearing. In reaching a decision, the hearing officer may consider information provided with the complaint form and any other relevant documents or information the hearing officer believes will help resolve the complaint.

If the ~~outcome of the conference with the principal is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may request a Level Two conference by submitting a written request to the executive director of pupil~~

Adopted:
9/9/2024

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~~personnel services. The request must be in writing in the format provided by the District and must be filed within ten days. [See Filing and Written Response above.] [See FNG(EXHIBIT)]~~ complainant did not receive the relief requested at Level One or if the time for a decision has expired, the complainant may request a hearing at Level Two to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within 20 ~~calendar~~ days of the date of the Level One decision or, if no decision has been communicated to the complainant, within 20 ~~calendar~~ days of the Level One decision deadline.

~~The request must include the student's or parent's signed statement of the complaint, a copy of the Level One complaint, any supporting evidence, documentation or other evidence presented at Level One, and a copy of the Level One response.~~

~~A designated executive director or director shall schedule the conference within ten days of receiving the request. The designated executive director or director shall prepare a written response to the student or parent within ten days of the conference.~~

~~No new complaints or claims for relief may be raised at Level Two. Only documentary evidence contained in the complete Level One record may be considered at Level Two. The student or parent may submit additional documentation, but only to the extent such documentation directly responds to what the principal considered at Level One.~~ After receiving notice of the appeal, the Level One hearing officer shall prepare and forward a record of the Level One complaint to the Level Two hearing officer and provide a copy of the Level One record to the complainant.

The Level One record shall include:

18. The original complaint form and any attachments.
19. Any other documents submitted by the complainant at Level One.
20. If the complaint is against a District employee, the written response of the District employee, if any.
21. The decision issued at Level One and any attachments.
22. All other documents relied upon by the Level One hearing officer in reaching the Level One decision.

The hearing officer shall hold a hearing within 10 ~~calendar~~ days after the appeal notice is filed. The hearing officer may set reasonable time limits for the hearing.

Level Three

The hearing officer shall provide the complainant a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider the Level One record, any additional information provided prior to the Level Two hearing, and any other relevant documents or information the hearing officer believes will help resolve the complaint.

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

If the ~~outcome of the conference with the executive director or director is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may request a Level Three conference by submitting a written request to the executive director of pupil personnel services. The request must be in writing in the format provided by the District and must be filed within ten days. [See Filing and Written Response above] [See FNG(EX-HIBIT)]~~ complainant did not receive the relief requested at Level Two or if the time for a decision has expired, the complainant may request a hearing at Level Three to appeal the Level Two decision.

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar days of the date of the Level Two decision or, if no decision has been communicated to the complainant, within 20 calendar days of the Level Two decision deadline.

~~The request shall include the Level Three complaint request form, a copy of the Level One and Two complaint form, the Level One and Two decisions, and any supporting evidence or documents submitted at the prior levels~~ After receiving notice of the appeal, the Level Two hearing officer shall prepare and forward a record of the Level Two complaint to the Level Three hearing officer and provide a copy of the Level Two record to the complainant.

~~The Superintendent or designee shall schedule the conference within ten days after receiving the request. No later than 20 days after the conference, the Superintendent or designee shall make and communicate a decision in writing~~ Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. Any other documents submitted by the complainant at Level Two.

~~22.4. The decision issued at Level Two and any attachments.~~

5. ~~As in~~All other documents relied upon by the Level Two, no new complaints or claims for relief may be raised at Level Three. Only documentary evidence contained in the Level One and Two record may be considered at Level Three hearing officer in reaching the Level Two decision.

The hearing officer shall hold a hearing within 10 calendar days after the appeal notice is filed. The hearing officer may set reasonable time limits for the hearing.

~~Nothing in the above sections pertaining to Levels One, Two, or Three shall prevent the presiding officer hearing the grievance from conducting any investigation into the allegations raised in the grievance that he or she deems necessary.~~ The hearing officer shall provide the complainant a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider the Level Two record, any additional information provided prior to the Level Three hearing, and any other relevant documents or information the hearing officer believes will help resolve the complaint.

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

Level Four

If the ~~outcome of the conference with the Superintendent or designee is not to the student's or parent's satisfaction, the student or parent may submit a written request, in the format provided by the District, to the Superintendent within ten days to place the matter on the agenda of a future Board meeting. [See Filing and Written Response above.] [See FNG(EXHIBIT)]~~ complainant did not receive the relief requested at Level Three or if the time for a decision has expired, the complainant may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within 20 calendar days of the date of the Level Three decision or, if no decision has been communicated to the complainant, within 20 calendar days of the Level Three decision deadline.

Unless the Board delegates a committee in accordance with law, the Board shall hear the appeal of the Level Three decision.

After receiving notice of the appeal, the Board or Board committee shall hold a meeting to discuss the complaint no later than 60 calendar days after the date on which the Level Three decision was made.

The Superintendent shall inform the ~~student or parent~~ complainant whether the Board or a Board committee will hear the appeal and

of the date, time, and place of the meeting. ~~The Board will place the Level Four appeal on an agenda for consideration at a meeting to occur within 30 days of receipt of the appeal. If no meeting will occur or is otherwise available within 30 days, the Board shall place the Level Four appeal on an agenda for consideration at a meeting no later than 45 days from receipt of the appeal~~ at which the complaint will be on the agenda for presentation to the Board or Board committee.

At least five **business**-days before the Board or Board committee meeting, the Superintendent shall provide the complainant a description of any information the Board intends to rely on that is not contained in the record created at the previous hearing levels, including any preliminary hearing.

The Superintendent shall provide the Board the record of the Level Three appeal. The complainant may request a copy of the Level Three record.

The ~~presiding officer shall establish a reasonable time limit for complaint presentations. The District shall audio and video record the Level Four proceeding before the Board. The Board shall hear the complaint and shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. No new evidence, claims, or complaints may be presented at this level by either party~~ Level Three record shall include:

1. The Level One record.
2. The Level Two record.
3. The notice of appeal from Level Two to Level Three.
4. Any other documents submitted by the complainant at Level Three.
5. The decision issued at Level Three and any attachments.
6. All other documents relied upon by the administration in reaching the Level Three decision.

The complainant may request that the complaint be heard in open or closed meeting. The District shall honor that request unless the Texas Open Meetings Act or other applicable law requires otherwise. [See BE]

At the meeting, the presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the complainant and administration to each make a presentation and

~~Closed Meeting~~

provide rebuttal and an opportunity for questioning by Board members.

In addition to any other record of the meeting required by law, the Board or Board committee shall prepare a separate record of the Level Four presentation. The Level Four presentation, including the presentation by the complainant or the complainant's representative, any presentation from the administration, and questions from Board members with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

~~If the Board or Board committee shall then consider the complaint involves concerns or charges regarding an employee, it shall be heard by the Board in closed meeting, unless the employee to whom the complaint pertains requests that it be heard in public. It shall make a decision no later than 30 calendar days after the date of the Board or Board committee meeting at which the complaint was presented. The complainant shall be provided a decision in accordance with this policy and state law.~~

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Student Code of Conduct

The District's rules of discipline are maintained in the Board-adopted Student Code of Conduct and are established to support an environment conducive to teaching and learning.

Rules of conduct and discipline shall not have the effect of discriminating on the basis of gender, race, color, disability, religion, ethnicity, or national origin.

At the beginning of the school year and throughout the school year as necessary, the Student Code of Conduct shall be:

1. Posted and prominently displayed at each campus or made available for review in the principal's office, as required by law; and
2. Made available on the District's website and/or as a hard copy to students, parents, teachers, administrators, and others on request.

Revisions

Revisions to the Student Code of Conduct approved by the Board during the year shall be made available promptly to students and parents, teachers, administrators, and others.

Extracurricular Standards of Behavior

With the approval of the principal and Superintendent, sponsors and coaches of extracurricular activities may develop and enforce standards of behavior that are higher than the District-developed Student Code of Conduct and may condition membership or participation in the activity on adherence to those standards. Extracurricular standards of behavior may take into consideration conduct that occurs at any time, on or off school property.

A student shall be informed of any extracurricular behavior standards at the beginning of each school year or when the student first begins participation in the activity. A student and his or her parent shall sign and return to the sponsor or coach a statement that they have read the extracurricular behavior standards and consent to them as a condition of participation in the activity.

Standards of behavior for an extracurricular activity are independent of the Student Code of Conduct. Violations of these standards of behavior that are also violations of the Student Code of Conduct may result in independent disciplinary actions.

A student may be removed from participation in extracurricular activities or may be excluded from school honors for violation of extracurricular standards of behavior for an activity or for violation of the Student Code of Conduct.

“Parent” Defined

Throughout the Student Code of Conduct and discipline policies, the term “parent” includes a parent, legal guardian, or other person having lawful control of the child.

General Discipline Guidelines

A District employee shall adhere to the following general guidelines when imposing discipline:

1. A student shall be disciplined when necessary to improve the student’s behavior, to maintain order, or to protect other students, school employees, or property.
2. A student shall be treated fairly and equitably. Discipline shall be based on an assessment of the circumstances of each case. Factors to consider shall include:
 - a. The seriousness of the offense;
 - b. The student’s age;
 - c. The frequency of misconduct;
 - d. The student’s attitude;
 - e. The potential effect of the misconduct on the school environment;
 - f. Requirements of Chapter 37 of the Education Code; and
 - g. The Student Code of Conduct adopted by the Board.
3. Before a student under 18 is assigned to detention outside regular school hours, notice shall be given to the student’s parent to inform him or her of the reason for the detention and permit arrangements for necessary transportation.

Corporal Punishment

The Board prohibits the use of corporal punishment in the District. Students shall not be spanked, paddled, or subjected to other physical force as a means of discipline for violations of the Student Code of Conduct.

Physical Restraint

Note: A District employee may restrain a student with a disability who receives special education services only in accordance with law. [See FOF(LEGAL)]

Within the scope of an employee’s duties, a District employee may physically restrain a student if the employee reasonably believes restraint is necessary in order to:

1. Protect a person, including the person using physical restraint, from physical injury.

2. Obtain possession of a weapon or other dangerous object.
3. Protect property from serious damage.
4. Remove a student refusing a lawful command of a school employee from a specific location, including a classroom or other school property, in order to restore order or to impose disciplinary measures.

Video and Audio Monitoring

Video and audio recording equipment **shall****may** be used for safety purposes to monitor student behavior on District property.

TheWhen video and audio recording equipment is in use, the District shall post signs notifying students and parents about the District's use of video and audio recording equipment. Students shall not be notified when the equipment is turned on.

Use of Recordings

The principal shall review recordings as needed, and evidence of student misconduct shall be documented. A student found to be in violation of the District's Student Code of Conduct shall be subject to appropriate discipline.

Access to Recordings

Recordings shall remain in the custody of the campus principal and shall be maintained as required by law. A parent or student who wishes to view a recording in response to disciplinary action taken against the student may request such access under the procedures set out by law. [See **FL(LEGAL)**]

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 ~~or excluded~~. Some of these policies require appeals to be submitted in accordance with GF after the relevant complaint process:

1. Complaints concerning instructional resources shall be ~~filed submitted~~ in accordance with the EF series.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be ~~filed submitted~~ in accordance with the CKE series.
3. ~~Complaints where the relief sought by the grievant has already been granted at a prior administrative level or through informal conference or other similar means.~~
4. ~~Complaints where the grievant fails to state specific relief sought that applies to the grievant directly, or that cannot be granted by the presiding officer or the Board.~~

Complaints regarding refusal of entry to or ejection from District property based on Education Code 37.105 shall be filed in accordance with this policy. However, the timelines shall be adjusted as necessary to permit the complainant to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See GKA(LEGAL)]

Guiding Principles
Informal Process The Board encourages the public to discuss concerns ~~and complaints through informal conferences with the~~ 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.

~~Engagement in the informal process, while encouraged, is not required prior to filing a complaint under this policy and shall not stop, Deadline Extensions pause, or toll the time lines for filing a complaint under this Formal Process policy. The time lines in this policy shall apply regardless of the conduct or results of any formal conference~~
Filing Deadlines

If a member of the public has engaged in the informal process in an attempt to resolve the complaint with the District and has not reached a resolution during the process, the individual must file a complaint within 15 business 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.

All deadlines shall be strictly followed unless otherwise required by law or modified by mutual written consent.

An individual 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.~~ 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.

The complaint form shall be filed with the lowest level administrator who has the authority to remedy the alleged problem. In most circumstances, the individual shall file a Level One complaint with the campus principal for any complaint on a matter related to a campus. For a complaint that arises on a matter that is unrelated to a campus, the complaint shall be filed with the appropriate District-level administrator.

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the Superintendent, the complaint shall be initiated at the Board level. A preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

A Board member shall be permitted to file a complaint under this policy, but, if the complaint is considered by the Board or Board committee, the Board member shall be prohibited from voting on the Board's or Board committee's decision.

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.

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| Option to Continue Informal Process | Even after initiating the formal complaint process, the complainant is encouraged to seek informal resolution of their concerns. A complainant whose concerns are resolved may withdraw a formal complaint at any time. |
| Notice of Complaint | A District employee against whom a complaint has been filed shall be provided notice of the complaint in accordance with administrative regulations. The employee shall have sufficient opportunity to submit a written response to the complaint that shall be included in the record of the complaint. |
| Freedom from Retaliation | Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint. |
| General Provisions | Complaint forms and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or or by 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 shall be timely filed if they are received by the close of business on the deadline, as indicated by the date/time shown on the electronic communication. 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 business days after the deadline . |
| Scheduling Conferences Hearings | The District shall make reasonable attempts to schedule conferences hearings at a mutually agreeable time. If the individual complainant fails to appear at a scheduled conference hearing, the District may hold the conference hearing and issue a decision in the individual's complainant's absence. |
| Response At Levels One and Two, "response" Decision | A "decision" shall mean a written communication to the individual complainant from the appropriate administrator. Responses may be hand-delivered, sent by electronic communication, including email or fax, 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 that provides an explanation of the basis of the decision, an indication of each document that supports the decision, and any relief or redress to be provided. A decision shall be issued on the merits of the concern raised in the complaint notwithstanding any procedural errors or the type of relief or redress requested. |
| | The decision shall also include information regarding the filing of an appeal in accordance with this policy. After a hearing at Level Three, the decision shall include information on submitting an appeal to the commissioner. |

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| Days | <p>“Days” shall mean District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is “day zero.” The following business day is “day one.” A decision may be hand-delivered, sent by electronic communication to the complainant’s email address of record, or sent by U.S. Mail to the complainant’s mailing address of record. Mailed decisions shall be timely if they are postmarked by U.S. Mail on or before the deadline.</p> |
| Representative | <p>“Representative” shall mean any person who or organization that is designated by an individual a complainant to represent the individual complainant in the complaint process.</p> <p>The individual complainant may designate a representative through written notice to the District at any level of this process. If the individual The representative may participate in person or by telephone conference call. If the complainant designates a representative with fewer than three business days’ notice to the District before a scheduled hearing, the District may reschedule the 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 file To promote efficiency in addressing complaints, the appropriate administrator shall determine if separate or serial complaints arising from any an event or series of events that have been or could have been addressed in a previous complaint.</p> |
| Untimely Filings | <p>All timelines 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. related events shall be consolidated.</p> |
| Costs Incurred | <p>Each party shall pay its own costs incurred in the course of the complaint.</p> |
| Complaint Form and Appeal Forms | <p>Complaints and appeals 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 included with the complaint form. If the individual complainant does not have copies of these documents, they copies may be presented at the Level One conference hearing. 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 hearing, the complainant may</p> |

supplement the record with additional documents or include additional claims.

Record A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the complainant, documents determined relevant by District personnel, and the decision.

Remand A complaint **or appeal** form that is incomplete in any material aspect ~~may~~~~shall~~ be dismissed but ~~may~~ be refiled with ~~all the required information if the refiling is within the designated time for filing~~ refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.

If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.

Assignment of Hearing Officer When a District employee is the subject of a complaint, the hearing shall be conducted by an administrator who is in a supervisory or higher organizational role. The District employee who is the subject of the complaint shall recuse themselves from reviewing the complaint at any level in the process.

Level One

Complaint forms must be filed:

5. Within ten 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; and
6. 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, then the complaint shall not be considered timely filed, and the applicable timeline for filing shall continue to run and not be tolled in any way. Should a complainant not file with the appropriate District administrator, and the timeline expires, any subsequent filing of the complainant shall be considered untimely.~~

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

Absent extenuating circumstances, the administrator shall provide the individual a written response within ten days following the hearing. The written response shall set forth the basis of the decision.
Investigation

Level Two

The District may conduct an investigation at any level in the complaint process. If the District and the complainant mutually agree, all deadlines shall be suspended during an investigation.

At Level One, the appropriate hearing officer shall hold a hearing with the complainant within 10 calendar days after receipt of the written complaint. The hearing officer may set reasonable time limits for the hearing.

The hearing officer shall provide the complainant a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider information provided with the complaint form and any other relevant documents or information the hearing officer believes will help resolve the complaint.

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

The appeal notice must be filed in writing, on a form provided by the District, within ~~ten~~20 calendar days of the date of the ~~written~~ Level One ~~response~~decision or, if no ~~response was received~~, ~~within ten~~decision has been communicated to the complainant, ~~within 20 calendar~~ days of the Level One ~~response~~decision deadline.

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

The Level One record shall include:

1. The original complaint form and any attachments.
2. ~~All~~Any other documents submitted by the ~~individual~~complainant at Level One.
3. ~~The~~if the complaint is against a District employee, the ~~written~~ response of the District employee, if any.
- 3.4. The decision issued at Level One and any attachments.
- 4.5. All other documents relied upon by the Level One ~~administrator~~ hearing officer in reaching the Level One decision.

The ~~Superintendent or designee shall schedule~~hearing officer shall hold a hearing within ~~ten~~10 calendar days after the appeal notice is filed. The hearing ~~shall be limited to the issues and documents~~

considered at Level One. 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 hearing officer may set reasonable time limits for the hearing.

The Superintendent or designee hearing officer shall provide the individual a written response within ten days of the hearing. The written response shall set forth the basis of the decision. In reaching a decision, the Superintendent or designee hearing officer may consider the Level One record, any additional information provided at prior to the Level Two hearing, and any other relevant documents or information the Superintendent or designee hearing officer 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 complainant did not receive the relief requested at Level Two or if the time for a response decision 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 decision or, if no response was received, within ten days of the date the response decision was communicated to the complainant, within 20 calendar days of the Level Two response decision deadline.

The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting. Unless the Board delegates a committee in accordance with law, the Board shall hear the appeal of the Level Two decision.

After receiving notice of the appeal, the Board or Board committee shall hold a meeting to discuss the complaint no later than 60 calendar days after the date on which the Level Two decision was made.

The Superintendent shall inform the complainant whether the Board or a Board committee will hear the appeal and of the date, time, and place of the meeting at which the complaint will be on the agenda for presentation to the Board or Board committee.

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The individual At least five business days before the Board or Board committee meeting, the Superintendent shall provide the complainant a description of any information the

Board intends to rely on that is not contained in the record created at the previous hearing levels, including any preliminary hearing.

The Superintendent shall provide the Board the record of the Level Two appeal. The complainant 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~~ Any other documents submitted by the complainant at Level Two.
- 3.4. The decision issued at Level Two and any attachments.
- 4.5. 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 complainant may request that the complaint be heard in open or closed meeting. The District shall honor that request unless the Texas Open Meetings Act or other applicable law requires otherwise. [See BE]~~

~~At the meeting, the presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual complainant 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.~~ members.

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

The Board **or Board committee** shall then consider the complaint. It **may give notice of its** **shall make a 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** **no later than 30 calendar days after the date of the Board or Board committee meeting at which the complaint was presented. The complainant shall be provided a decision in accordance with this policy and state law.**

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| Access to District Property | Authorized District officials, including school resource officers and District police officers if applicable, may refuse to allow a person access to property under the District's control in accordance with law. District officials may request assistance from law enforcement in an emergency or when a person is engaging in behavior rising to the level of criminal conduct. |
| Ejection or Exclusion under Education Code 37.105 | In accordance with Education Code 37.105, a District official shall provide a person refused entry to or ejected from property under the District's control written information explaining the right to appeal such refusal of entry or ejection under the District's grievance process. A person appealing under the District's grievance process shall be permitted to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See FNG and GF] |
| Off-Campus Activities | Employees shall be designated to ensure appropriate conduct of participants and others attending a school-related activity at non-District or out-of-District facilities. Those so designated shall coordinate their efforts with persons in charge of the facilities. |
| Prohibitions | The District prohibits smoking and the use of tobacco products, e-cigarettes, or other electronic vaporizing devices on District property, in District vehicles, or at school-related activities. |
| Tobacco and E-Cigarettes | |
| Weapons | The District prohibits the unlawful use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on all District property at all times. |
| <i>Exceptions</i> | No violation of this policy occurs when: <ol style="list-style-type: none">1. A Texas An individual who holds a handgun license holder in accordance with state law stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, as long as the handgun or other firearm is not in plain view; or2. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD] |