

BOARD MEMBERS
TRAINING AND ORIENTATION

BBD
(LOCAL)

**Public Information
Coordinator**

[After Election or
Appointment](#)

[After a Violation](#)

The District's in-house counsel or designee shall fulfill the responsibilities of the public information coordinator and shall receive, on behalf of Board members, the training specified by Government Code 552.012. [See GBAA]

[A Board member who receives written notice from the attorney general that the member must complete Public Information Act \(PIA\) training described by GBAA\(LEGAL\) following the District's failure to comply with a PIA requirement shall complete the training within the timelines described in law. The completion of the training in response to such a notice cannot be delegated.](#)

**Reporting
Continuing
Education Credit**

The Board President shall announce the status of each Board member's continuing education credit. The announcement shall be made annually at the last regular Board meeting before the District's uniform election date, whether or not an election is held. The announcement shall be reflected in the meeting minutes and, when necessary, posted on the District's website in accordance with law.

ETHICS
CONFLICT OF INTEREST DISCLOSURES

BBFA
(LOCAL)

Annual Financial
Management Report

In addition to disclosures required by law, a Board member shall disclose to the Board any personal financial interest, business interest, or obligation or relationship that in any way creates a potential conflict of interest with a vote on a pending matter.

A Board member shall not use coercive means or promise special treatment in order to influence Board or District decisions, nor use the member's position to seek personal advantage. [See also BBF(LOCAL)]

Each Board member shall provide to the District in a timely manner information necessary for the District's annual financial management report. [See CFA]

PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

BQA
(LOCAL)

District Educational Improvement Committee	In compliance with Education Code 11.251, the District educational improvement committee shall advise the Board or its designee in establishing and reviewing the District's educational goals, objectives, and major Districtwide classroom instructional programs identified by the Board or its designee. The committee shall serve exclusively in an advisory role except that the committee shall approve staff development of a Districtwide nature. The Board or its designee shall meet periodically with the committee to review the committee's deliberations.
Chairperson	The Superintendent or designee shall serve as chairperson of the committee. The chairperson shall appoint a steering committee from the committee's members to assist in the preparation of the agenda. Proposed items shall be sent to the committee's chairperson at the administration building.
Meetings	The chairperson of the committee shall set its agenda, and shall schedule at least four meetings per year. Committee meetings shall be held outside of the regular school day and shall be advertised to the public.
Duties of Committee	In addition to the statutorily mandated duties at BQA(LEGAL), the committee shall consider any other task presented by the Superintendent or designee.
Composition	The committee shall be composed of 28 voting members who shall represent campus-based professional staff, District and campus level professional staff, parents, businesses, and the community. At least two-thirds of the District and campus professional staff shall be classroom teachers. The remaining one-third shall be professional nonteaching District and campus-level staff. For purposes of this policy, District-level professional staff shall be defined as professionals who have responsibilities at more than one campus, including, but not limited to, central office staff.
Communications	<p>The Superintendent or designee shall ensure that the District-level committee obtains broad-based community, parent, and staff input. The committee, in conjunction with District employees not serving on the committee, shall be responsible for providing information in a systematic manner to the District communications department, which shall use appropriate resources to provide information to the community. Communications may include, but not be limited to, the following:</p> <ol style="list-style-type: none">1. Periodic public meetings, as needed, to gather input and provide information to the community on the work of the committee. These meetings shall be advertised in District publications and through the media.

PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

BQA
(LOCAL)

2. Articles in District publications regarding work of the committee.

Parents

~~The campus-level committee of each school shall nominate one parent (not necessarily a member of the campus-level committee) for membership on the District-level committee. Resumes and/or support information shall be provided to the existing District-level committee, which shall elect 11 of the nominees to serve on the committee. The election of parents shall be conducted according to the following criteria:~~

- ~~1. Three parents of students in prekindergarten through grade 4 shall be elected.~~
- ~~2. Two parents of students in grades 5–6 shall be elected.~~
- ~~3. Two parents of students in grades 7–8 shall be elected.~~
- ~~4. Two parents of students in grades 9–12 shall be elected.~~
- ~~5. Two parents of special population students in kindergarten through grade 12 shall be elected.~~

Community Members

~~The committee shall include two community members, one of whom shall be a member of the District Council of PTAs, elected by a process that provides for adequate representation of the community's diversity, in accordance with administrative procedures.~~

Business Representatives

~~The committee shall include two business representatives, elected by a process that provides for adequate representation of the community's diversity, in accordance with administrative procedures. Businesses shall be defined as those organizations that are tax-paying entities, as determined by the committee.~~

Professional Staff

~~The campus-level members shall consist of:~~

- ~~• Four regular program elementary (prekindergarten–grade 4) classroom teachers.~~
- ~~• Two regular program intermediate (grades 5–6) classroom teachers.~~
- ~~• Two regular program middle (grades 7–8) classroom teachers.~~
- ~~• Two regular program high school teachers.~~
- ~~• One classroom teacher from the special populations, special education, GT, or ESL programs.~~
- ~~• One representative from the alternate program staff.~~

PLANNING AND DECISION-MAKING PROCESS
DISTRICT-LEVEL

BQA
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	<p>• One nonteaching professional elected at large from prekindergarten through grade 6, and one nonteaching professional elected at large from grades 7–12. Nonteaching professionals include counselors, librarians, nurses, and administrators.</p> <p>Each representative shall be nominated by and elected from the representative grouping. Representatives shall be elected in such manner that no school has more than one representative from its teaching staff on the committee.</p> <p>The District-level membership shall consist of District-level nonteaching professional members who shall be nominated by and elected from the District and campus-level nonteaching professional staff.</p>
Elections	<p>An employee's affiliation or lack of affiliation with any organization or association shall not be a factor in either the nomination or election of representatives on the committee. [See also DGA]</p> <p>The consent of each nominee shall be obtained before the person's name may appear on the ballot. Election of the committee shall be held in the spring of each school year at a time determined by the Board or its designee. Nomination and election shall be conducted in accordance with this policy and administrative regulations.</p>
Terms	<p>Representatives shall serve <u>a staggered one</u>–two-year terms, and shall be limited to two consecutive terms on the committee. After the initial election, representatives shall draw lots to determine the length of initial terms.</p>
Vacancy	<p>If a vacancy occurs among the representatives, nominations shall be solicited and an election held within the committee to fill the unexpired term.</p>
Other Advisory Groups	<p>The existence of the District-level committee shall not affect the authority of the Board or its designee to appoint or establish other advisory groups or task forces to assist it in matters pertaining to District instruction.</p>
Consensus Decision Making	<p>While votes may periodically be taken on issues before the committee, every effort shall be made to arrive at consensus in decision making.</p>

ANNUAL OPERATING BUDGET

CE
(LOCAL)

Fiscal Year

The District shall operate on a fiscal year beginning July 1 and ending June 30.

Budget Planning

Budget planning shall be an integral part of overall program planning so that the budget effectively reflects the District's programs and activities and provides the resources to implement them. In the budget planning process, general educational goals, specific program goals, and alternatives for achieving program goals shall be considered, as well as input from the District- and campus-level planning and decision-making committees. Budget planning and evaluation are continuous processes and shall be a part of each month's activities.

Should the District finish its fiscal year in a budget deficit, the District shall present to the Board a plan to reduce the budget deficit. Such presentation shall be made to the Board no later than 90 days after the end of the fiscal year.

Budget Reporting

The board will receive regular financial reports from the Superintendent or Superintendent's designee. Reports will be standard in nature, keeping a consistent look and appearance to allow board members to see changes in financial status over time. The required reports are as follows:

1. Assumptions being used for budget and planning.
2. Financial forecast of 5 years with a 3-year lookback, which will include but not limited to the General Budget and INS Budget.
3. Building and maintenance report, which will include a 5-year plan for repairs and replacement.
4. Vehicle status and condition report with a 5-year replacement plan.
5. Technology status and condition report with a 5-year replacement plan.

ANNUAL OPERATING BUDGET

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(LOCAL)

Budget Committee

The District shall establish a budget committee comprised of the Chief Financial Officer, Board President, Vice President or Secretary and two the primary Trustee for the Community Budget and Finance Committees.

Budget Meeting

The annual public meeting to discuss the proposed budget and tax rate shall be conducted as follows:

1. The Board President shall request at the beginning of the meeting that all persons who desire to speak on the proposed budget and/or tax rate sign up on the sheet provided.
2. Prior to the beginning of the meeting, the Board may establish time limits for speakers.
3. Speakers shall confine their remarks to the appropriation of funds as contained in the proposed budget and/or the tax rate.
4. No officer or employee of the District shall be required to respond to questions from speakers at the meeting.

Authorized Expenditures

The adopted budget provides authority to expend funds for the purposes indicated and in accordance with state law, Board policy, and the District's approved purchasing procedures. The expenditure of funds shall be under the direction of the Superintendent or designee who shall ensure that funds are expended in accordance with the adopted budget.

Budget Amendments

The Board shall amend the budget when a change is made increasing any one of the functional spending categories or increasing revenue object accounts and other resources.

Financial Stability

In seeking to fulfill its mission, the District shall maintain a high level of financial stability and shall not compromise the long-term financial integrity to achieve short-term benefits.

In an effort to provide adequate cash flow for its operations, maintain a strong credit rating, and plan for unanticipated extraordinary costs, the District shall target an annual unassigned general fund balance of a minimum of between two months (17 percent) and three months (25 percent) of total operating expenditures.

Definitions

Fund Balance

"Fund balance" shall mean the difference between the assets and liabilities reported in a governmental fund.

The fund balance of the general fund is of primary significance because the general fund is the primary governmental fund that finances most functions in the District.

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In conformity with the Governmental Accounting Standards Board Statement (GASB) No. 54, the five classifications of fund balance of the general fund are:

Nonspendable Fund
Balance

“Nonspendable fund balance,” which shall mean that portion of the fund balance that is not expendable (such as inventories) because the assets will never convert to cash or the portion must be maintained intact pursuant to legal or contractual requirements (such as the self-funded reserves program).

Examples of fund balance reserves that are not available for financing general operating expenditures include:

5. Inventories;
6. Prepaid items;
7. Deferred expenditures;
8. Self-funded risk management programs;
9. Long-term receivables; and
10. Outstanding encumbrances.

Restricted Fund
Balance

“Restricted fund balance,” which shall mean the amount of the fund balance subject to externally enforceable limitations on use, such as limitations imposed by grantors, contributors or laws of other governments, constitutional provisions, or enabling legislation. Examples include:

11. Child nutrition programs; and
12. Technology programs.

Committed Fund
Balance

“Committed fund balance,” which shall mean the amount of the fund balance on which limitations are placed by the Board and remains binding until removed by the Board. Any action to commit or remove the commitment of fund balance must be taken by the end of the fiscal year for which the action is to be in effect. Examples include potential litigation, claims, and judgements.

Assigned Fund
Balance

“Assigned fund balance,” which shall mean that portion of the fund balance that reflects the government’s intended use of resources. Such intent could be established by the Board or can be delegated to a committee (e.g., finance committee) or individual District official. Formal action is not necessary to impose, remove, or modify the assigned fund balance.

The assigned fund balance shall not exceed the total fund balance less its nonspendable, restricted, and committed components. In

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(LOCAL)

addition, the assignment would need to be narrower than the purpose of the fund itself. Examples of assigned fund balances include:

13. Capital replacement (expenditures for equipment, furniture, and software);
14. Building construction, repair, and renovation;
15. Insurance deductibles;
16. Claims and judgments;
17. Employee retirement leave reserves;
18. Program start-up costs;
19. Debt service reduction;
20. Other legal uses; and
21. Amounts to cover budgetary deficits.

Unassigned Fund
Balance

“Unassigned fund balance,” which shall mean the amount of fund balance that cannot properly be classified into one of the four categories described in this policy. The unassigned fund balance shall be available for any legal purpose. This portion of the total fund balance in the general fund shall be available to finance operating expenditures. The Board expects that unassigned fund balance on June 30 will approximate 17–25 percent of the subsequent year’s adopted budget.

TECHNOLOGY RESOURCES
EQUIPMENT

CQC
(LOCAL)

With this policy, the Board adopts the model health and safety guidelines for the effective integration of digital devices in schools that have been developed by the Texas Education Agency and the Health and Human Services Commission.

The Superintendent shall develop regulations that implement these guidelines.

EMPLOYMENT PRACTICES
OTHER TYPES OF CONTRACTS

DCE
(LOCAL)

**Non-Chapter 21
Contracts**

The Board may employ by written contract personnel not eligible for a contract under Chapter 21 of the Education Code. Such contracts shall not be governed by the provisions of Chapter 21 of the Education Code.

**Appeal of
Employment Actions**

**An Termination
During Contract
Term**

In accordance with DCE(LEGAL), an employee may request a hearing before the Board to appeal discharge during the contract period~~in accordance with DCE(LEGAL).~~

An employee whose contract is not reissued at the end of the contract period may appeal in accordance with DGBA(LOCAL).

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

**Leave
Administration**

The Superintendent shall develop administrative regulations addressing employee leaves and absences to implement the provisions of this policy.

Definitions

The term "immediate family" is defined as:

Immediate Family

1. Spouse.
2. Son or daughter, including a biological, adopted, or foster child, a son- or daughter-in-law, a stepchild, a legal ward, or a child for whom the employee stands *in loco parentis*.
3. Parent, stepparent, parent-in-law, or other individual who stands *in loco parentis* to the employee.
4. Sibling, stepsibling, and sibling-in-law.
5. Grandparent and grandchild.
6. Any person residing in the employee's household at the time of illness or death.

For purposes of the Family and Medical Leave Act (FMLA), the definitions of spouse, parent, son or daughter, and next of kin are found in DECA(LEGAL).

Family Emergency

The term "family emergency" shall be limited to disasters and life-threatening situations involving the employee or a member of the employee's immediate family.

Leave Day

A "leave day" for purposes of earning, using, or recording leave shall mean the number of hours per day equivalent to the employee's usual assignment, whether full-time or part-time.

School Year

A "school year" for purposes of earning, using, or recording leave shall mean the term of the employee's annual employment as set by the District for the employee's usual assignment, whether full-time or part-time.

Catastrophic Illness
or Injury

A catastrophic illness or injury is a severe condition or combination of conditions affecting the mental or physical health of the employee or an employee's spouse, parent, son, or daughter that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by that employee and to lose compensation from the District. Such conditions typically require prolonged hospitalization or recovery or are expected to result in disability or death. Conditions relating to pregnancy or childbirth shall be considered catastrophic if they meet the requirements of this paragraph.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Note: For District contribution to employee insurance during leave, see CRD(LOCAL).

Availability

The District shall make state personal leave and local leave for the current year available for use at the beginning of the school year.

**State Leave
Proration**

If an employee separates from employment with the District before his or her last duty day of the school year or begins employment after the first duty day of the school year, state personal leave shall be prorated based on the actual time employed.

If an employee separates from employment before the last duty day of the school year, the employee's final paycheck shall be reduced for state personal leave the employee used beyond his or her pro rata entitlement for the school year.

Medical Certification

An employee shall submit medical certification of the need for leave if:

1. The employee is absent more than five consecutive workdays because of personal illness or illness in the immediate family;
2. The District requires medical certification due to a questionable pattern of absences or when deemed necessary by the supervisor or Superintendent; or
3. The employee requests FMLA leave for the employee's serious health condition; a serious health condition of the employee's spouse, parent, or child; or for military caregiver leave.

In each case, medical certification shall be made by a health-care provider as defined by the FMLA. [See DECA(LEGAL)]

A misrepresentation of an illness or injury shall result in a loss of daily pay for the number of workdays the employee was absent and may result in disciplinary action, including termination of employment.

State Personal Leave

The Board requires employees to differentiate the manner in which state personal leave is used.

**Nondiscretionary
Use**

Nondiscretionary use of leave shall be for the same reasons and in the same manner as state sick leave accumulated before May 30, 1995. [See DEC(LEGAL)]

Nondiscretionary use includes leave related to the birth or placement of a child and taken within the first year after the child's birth, adoption, or foster placement.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Discretionary Use	Discretionary use of leave is at the individual employee's discretion, subject to limitations set out below.
<i>Request for Leave</i>	<p>In deciding whether to approve or deny a request for discretionary use of state personal leave, the supervisor shall not seek or consider the reasons for which an employee requests to use leave. The supervisor shall, however, consider the duration of the requested absence in conjunction with the effect of the employee's absence on the educational program and District operations, as well as the availability of substitutes.</p> <p>Discretionary use of state personal leave shall not exceed three consecutive workdays.</p>
Schedule Limitations	<p>Discretionary use of leave shall not be allowed on days scheduled for state-mandated assessments or during peak absentee periods as determined by the Superintendent. Except as provided below, an employee absent on one of these days shall have his or her paycheck docked his or her daily rate for each day used.</p> <p>If an employee is absent due to any illness on days scheduled for state-mandated assessment or during peak absentee periods, the employee may be required to present a doctor's certification.</p> <p>In the event of a situation that has a widespread impact on a campus or the entire District, the Superintendent may waive the docking requirement.</p>
Local Leave	<p>Except as provided in this policy, each employee eligible for state personal leave shall earn five paid local leave days per school year in accordance with administrative regulations. Temporary, part-time employees who submit weekly time sheets shall not be eligible for local leave.</p> <p>Local leave shall accumulate without limit.</p> <p>Local leave shall be used according to the terms and conditions of state sick leave accumulated before the 1995–96 school year, except that an employee may contribute local leave to a sick leave bank or to a District-employed family member [see Donated Leave Days, below]. [See DEC(LEGAL)]</p>
Annual Limits on Use of Leave	Unless the employee is in a local, state, and/or federal protected leave status, the use of any combination of state personal leave and local leave that exceeds ten <u>12</u> workdays within the academic or fiscal year shall be considered excessive and serve as the basis of disciplinary action, including termination of employment.
Sick Leave Bank	The District shall establish a sick leave bank that employees may join through contribution of local leave.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

Leave contributed to the bank shall be solely for the use of participating employees. An employee who is a member of the bank may request leave from the bank if the employee or an employee's spouse, parent, son, or daughter experiences a catastrophic illness or injury and the employee has exhausted all paid leave and any applicable compensatory time. Sick leave bank days must be taken consecutively.

The Superintendent shall develop regulations for the operation of the sick leave bank that address the following:

1. Membership in the sick leave bank, including the number of days an employee must contribute to become a member;
2. Procedures to request leave from the sick leave bank;
3. The maximum number of days per school year a member employee may receive from the sick leave bank;
4. The committee or administrator authorized to consider requests for leave from the sick leave bank and criteria for granting requests; and
5. Other procedures deemed necessary for the operation of the sick leave bank.

Appeal

An employee may appeal a decision regarding the sick leave bank in accordance with DGBA(LOCAL), beginning with the Superintendent or appropriate administrator.

District Wellness Leave

An employee shall earn two days of District wellness leave per year. Wellness leave shall not accumulate. Temporary, part-time employees who submit weekly time sheets shall not earn District wellness leave.

An employee shall not be permitted to contribute District wellness leave to the sick leave bank.

Discretionary use of District wellness leave shall not be allowed on days scheduled for state-mandated assessments or during peak absentee periods as determined by the Superintendent.

Donated Leave Days

An employee shall be permitted to donate accumulated state and local days to District-employed family members. For purposes of this provision, "family members" shall be defined as those individuals within the first degree of consanguinity or first degree of affinity.

An employee may donate up to 25 days for each qualifying event. A qualifying event must meet the definition of catastrophic illness or injury.

The sick leave bank committee shall review and approve all requests for donated leave days.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

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(LOCAL)

Leave of Absence for Professional Development

An eligible employee may receive an unpaid leave of absence for approved study and travel, aligned with the professional employee's responsibilities. The leave of absence requires the recommendation of the campus principal or supervisor, which is submitted to the Superintendent and for the Board's approval before it is granted.

While the District shall not guarantee reemployment following an approved leave of absence, every effort shall be made to return an employee to his or her former job or a position of like status and pay by the beginning of the following academic year. The employee must advise the District of their intent to return no later than 45 days before the first day of instruction.

Leave of Absence for Student Teaching

An eligible employee may receive an unpaid leave of absence to complete required student teaching. The leave of absence for this purpose shall not exceed a 14-week period. A paraprofessional employee is eligible for a leave of absence for student teaching upon the recommendation of the campus principal or supervisor, which shall be submitted to the office of human resources.

The employee must be in the final semester of study and on track for graduation at the end of that semester. The employee must be recommended by his or her university for student teaching. The employee must submit a request for the unpaid leave by the end of the semester prior to student teaching indicating the dates of the requested unpaid leave. The campus principal or supervisor must submit the recommendation to the office of human resources prior to the beginning of the following semester. The position shall be filled with a substitute for the duration of the student teaching.

Emergency Closure Leave

All eligible employees shall earn up to five leave days of emergency closure leave per fiscal year. Emergency closure leave shall not accumulate beyond the fiscal year in which it is earned. Emergency closure leave shall only be used if:

1. The Superintendent has closed the District or individual campus(es) as a result of a local, regional, or national disaster, epidemic, or other emergency condition resulting in the unplanned closure of the District or individual campus(es); and
2. The Superintendent has determined the employees will not be required to make up missed workday(s).

Family and Medical Leave

FMLA leave shall run concurrently with applicable paid leave and compensatory time, as applicable.

Note: See DECA(LEGAL) for provisions addressing FMLA.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

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(LOCAL)

Twelve-Month Period	For purposes of an employee's entitlement to FMLA leave, the 12-month period shall be measured backward from the date an employee uses FMLA leave.
Combined Leave for Spouses	When both spouses are employed by the District, the District shall limit FMLA leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition, to a combined total of 12 weeks. The District shall limit military caregiver leave to a combined total of 26 weeks.
Intermittent or Reduced Schedule Leave	The District shall not permit use of intermittent or reduced schedule FMLA leave for the care of a newborn child or for the adoption or placement of a child with the employee.
Certification of Leave	When an employee requests leave, the employee shall provide certification, in accordance with FMLA regulations, of the need for leave.
Fitness-for-Duty Certification	In accordance with administrative regulations, when an employee takes FMLA leave due to the employee's own serious health condition, the employee shall provide, before resuming work, a fitness-for-duty certification.
Leave at the End of Semester	When a teacher takes leave near the end of the semester, the District may require the teacher to continue leave until the end of the semester.
Temporary Disability Leave	Any full-time, exempt employee whose position requires educator certification by the State Board for Educator Certification or by the District shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 180 calendar days. [See DBB(LOCAL) for temporary disability leave placement and DEC(LEGAL) for return to active duty.]
Certified Employees	
Noncertified Employees	Any full-time, noncertified employee or nonexempt employee shall be eligible for temporary disability leave. The maximum length of temporary disability leave shall be 90 calendar days.
Notification	An employee's notification of need for extended absence due to the employee's own medical condition shall be forwarded to the Superintendent as a request for temporary disability leave.
Return to Work	If an employee is unable to return to work at the end of his or her temporary disability leave period, either 180 or 90 days, the employee can be granted additional temporary disability leave with Superintendent's approval.
Concurrent Use of Leave	The District shall require the employee to use temporary disability leave and paid leave, including any compensatory time, concurrently with FMLA leave.

COMPENSATION AND BENEFITS
LEAVES AND ABSENCES

DEC
(LOCAL)

**Workers'
Compensation**

Note: Workers' compensation is not a form of leave. The workers' compensation law does not require the continuation of the District's contribution to health insurance.

An absence due to a work-related injury or illness shall be designated as FMLA leave, temporary disability leave, and/or assault leave, as applicable.

**No Paid Leave
Offset**

The District shall not permit the option for paid leave offset in conjunction with workers' compensation income benefits. [See CRE]

Court Appearances

Absences due to compliance with a valid subpoena issued in an employee's professional capacity or for jury duty shall be fully compensated by the District and shall not be deducted from the employee's pay or leave balance.

Absences for court appearances related to an employee's personal business shall be deducted from the employee's personal leave or, at the employee's option, shall be taken as leave without pay.

**Annual Payment for
Unused Leave**

Upon completion of ten (10) continuous years of service in the District, all employees shall become eligible to receive pay for each day of unused local leave at the rate of \$35 per day upon retirement or resignation. The amount shall be paid in December, January, June, or July as appropriate. The following options are available for this benefit: Employees who retire with TRS in December may request payment for unused local leave.

2. Employees who resign/retire at the completion of their employment agreement with the District or at the end of the school year, as applicable, may request payment for unused local leave.

An employee who terminates employment with the District must request payment for local leave, concurrent with written notification of retirement or resignation. An individual terminating employment at the end of the school year must make such notification before the end of the fiscal year.

Official leaves of absences shall be honored as continuous service.

Days for which the employee received payment shall not be available to that employee for use in the District in the event the employee later returns to employment with the District.

The rate established by the Board shall be in effect until a new rate is adopted. Any changes to the rate shall apply beginning with the school year following the adoption of the rate change.

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Complaints

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

**Other Complaint
Processes**

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

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 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.

Notice to Employees

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

Guiding Principles

Informal Process

The Board encourages employees to discuss their concerns and complaints through informal conferences with their supervisor, principal, or other appropriate administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

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

PERSONNEL-MANAGEMENT RELATIONS
EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

Direct Communication with Board Members	Employees shall not be prohibited from communicating with a member of the Board regarding District operations except when communication between an employee and a Board member would be inappropriate because of a pending hearing or appeal related to the employee.
Formal Process	<p>An employee may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, employees are encouraged to seek informal resolution of their concerns. The Superintendent or designee shall have the right to direct the complainant to an informal conference with the appropriate school personnel. The complainant must comply with such directive before the complaint proceeds. Such directive may be given at any level of the proceedings and such directive shall suspend or extend any applicable deadlines as determined by the Superintendent or designee. An employee whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.</p>
Freedom from Retaliation	Neither the Board nor any District employee shall unlawfully retaliate against an employee for bringing a concern or complaint.
Whistleblower Complaints	<p>Whistleblower complaints shall be filed within the time specified by law and may be made to the Superintendent or designee beginning at Level Two. 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.</p> <p>[See DG]</p>
Complaints Against Supervisors	Complaints alleging a violation of law by a supervisor may be made to the Superintendent or designee. Complaint forms alleging a violation of law by the Superintendent may be submitted directly to the Board or designee.
General Provisions Filing	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 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 or before the deadline and received by the

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EMPLOYEE COMPLAINTS/GRIEVANCES

DGBA
(LOCAL)

	<p>appropriate administrator or designated representative no more than three days after the deadline. The District shall communicate regarding the complaint and related procedures in the same manner—via hand-delivery, fax, email, or U.S. Mail.</p>
Scheduling Conferences	<p>The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If an employee fails to appear at a scheduled conference, the District may dismiss the complaint. If the complaint is dismissed, it may be refiled, but only if within the time period for filing a complaint.</p>
Response	<p>At Levels One and Two, “response” shall mean a written communication to the employee from the appropriate administrator. Responses shall be hand-delivered, faxed, 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>
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.”</p>
Representative	<p>“Representative” shall mean any person who or an organization that does not claim the right to strike and is designated by the employee to represent him or her in the complaint process.</p> <p>The employee may designate one representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the employee designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. Employees shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p> <p>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.</p>
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p>

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If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the employee, at any point during the complaint process. The employee may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

Meritless Complaints

Fair and appropriate due process consideration shall be given to all complaints or grievances. Honesty, candor, courtesy, professionalism, cooperation, and respect must occur throughout the process. The Superintendent or designee shall have the right at any time after a complaint is filed to examine whether any complaint or grievance is without merit. Consideration shall be given, but not be limited to, whether the relief requested has already been granted, the substance of the claim, the diligence of the party asserting the claim, the nature of the claim, whether the claim has been repetitively asserted previously in the same or similar form or fashion, and the current and prior conduct of the complainant including, but not limited to, the complainant's unwillingness to cooperate with school personnel regarding the complaint.

The Superintendent or designee may request that the complainant explain, correct, support, or substantiate any allegation asserted and when doing so shall give the complainant a reasonable time in which to respond. That reasonable time period shall extend the written response deadline for a decision by the Superintendent or designee by an equivalent period of time.

A finding by the Superintendent or designee that the complaint in its entirety is without merit shall result in a dismissal of the complaint. The Superintendent or designee may find only a portion of the complaint to be without merit. In such event, the Superintendent or designee shall dismiss the portion of the complaint found to be without merit and rule upon the remainder of the complaint as appropriate.

An appeal of a dismissal based on the complaint or portion thereof being without merit shall be limited to the findings made by the Superintendent or designee that such complaint or portion thereof is without merit. Should the Board determine that the complaint or any portion thereof is not without merit, then the Board shall return the proceeding in its entirety to the Superintendent or designee for further action.

Costs Incurred

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

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Complaint and
Appeal Forms

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

Copies of any documents that support the complaint should be attached to the complaint form. If the employee does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the employee unless the employee did not know the documents existed before the Level One conference.

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

Audio Recording

As provided by law, an employee shall be permitted to make an audio recording of a conference or hearing under this policy at which the substance of the employee's complaint is discussed. The employee shall notify all attendees present that an audio recording is taking place.

Level One

Complaint forms must be filed:

1. Within 15 days of the date the employee first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

In most circumstances, employees on a school campus shall file Level One complaints with the campus principal; other District employees shall file Level One complaints with their immediate supervisor.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

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

The appropriate administrator shall investigate as necessary and schedule a conference with the employee within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

Absent extenuating or necessary circumstances as determined by the administrator, the administrator shall provide the employee a

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

Level Two

If the employee did not receive the relief requested at Level One or if the time for a response has expired, the employee may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

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

The Level One record shall include:

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

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

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

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

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Level Three

If the employee did not receive the relief requested at Level Two or if the time for a response has expired, the employee may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The ~~Superintendent~~ Board or its designee, **including the Board attorney**, shall inform the employee of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

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

The Level Two record shall include:

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

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

Additionally, if at the Level Three hearing the employee intends to rely on evidence not included in the Level Two record, the employee shall provide the administration and the Board notice of the nature of the evidence at least three days before the hearing.

Presentation to the
Board

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the employee and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

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

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

INSTRUCTIONAL ARRANGEMENTS
HOMEBOUND INSTRUCTION

EEH
(LOCAL)

General Education

Consistent with ~~TEA's~~[the Texas Education Agency \(TEA\)](#) *Student Attendance Accounting Handbook (SAAH)*, a student may be eligible for general education homebound services if the student is to be confined for a minimum of four weeks to a hospital or homebound setting for medical [or psychological](#) reasons specifically documented by a physician licensed to practice in the United States. The weeks of confinement need not be consecutive. The parent's request for services shall be submitted to the principal in accordance with TEA's *SAAH* and administrative procedures.

The principal or designee shall convene a placement committee composed of at least a campus administrator, a teacher of the student, and the parent or guardian of the student to consider the necessity of providing general education homebound instruction to the student. If the committee determines that such instruction is appropriate, the committee shall determine the type and amount of instruction to be provided and, if applicable, the length of the transition period to the school-based setting based on current ~~medical~~ information [regarding the medical or psychological condition](#).

Special Education

Consistent with state rule and the *SAAH*, a student receiving special education services may be eligible for special education homebound services if the student is to be confined for a minimum of four weeks to a hospital or homebound setting for medical [or psychological](#) reasons specifically documented by a physician licensed to practice in the United States. ~~If a student is chronically ill, the student's admission, review, and dismissal (ARD) committee shall determine whether the~~[The](#) weeks ~~of confinement~~ need ~~to~~[not](#) be consecutive.

~~If the ARD~~[If a student's admission, review, and dismissal](#) committee determines that homebound instruction is appropriate, the committee shall determine the type and amount of instruction to be provided in accordance with law, and, if applicable, the length of the transition period to the school-based setting based on current ~~medical~~ information [regarding the medical or psychological condition](#).

Documentation of Services

The District shall maintain full documentation about students receiving homebound services, in accordance with administrative procedures, the *SAAH*, and a student's individualized education program ~~-(IEP)-~~[as applicable](#).

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

Note: For information related to the accounting of instructional materials, as this term is defined by state law and rule, see CMD.

For information related to the selection process of library materials, see EFB(~~LOCAL~~).

The District shall provide instructional materials designed to teach the Texas Essential Knowledge and Skills (TEKS) and further the District's educational mission. Although the Superintendent shall ensure that professional staff select instructional materials in accordance with District policy and administrative regulations, the ultimate authority for determining and approving the curriculum and instructional program of the District lies with the Board.

Objectives

In this policy, "instructional materials" may include textbooks, supplementary resources for classroom use, and any other instructional resources, including electronic resources, used for formal or informal teaching and learning purposes. The primary objectives of instructional materials are to implement, enrich, and support the District's educational program.

~~Instructional materials that are textbooks and related supplemental materials shall be chosen from the list of resources adopted by the State Board of Education in accordance with administrative regulations and the objectives above.~~

Selection

Instructional materials that are textbooks and related supplemental materials, which may include items from the list of resources adopted by the State Board of Education, shall be chosen in accordance with administrative regulations and the objectives above.

In the selection of instructional resources, whether such selection is recommended or performed by District professional staff, administrators, teachers, staff members, employees (full-time or part-time), contractors, contract workers, supervisors, assistants, parent volunteers, agents, trustees, vendors, or any individual or group acting on behalf of the District, all listed individuals shall ensure that the resources:

1. Enrich and support the curriculum consistent with the general educational goals of the state and District, the aims and objectives of individual schools and specific courses, and the District and campus improvement plans.
2. Are appropriate for the subject area and for the age, ability level, learning styles, interests, and social and emotional development of the students for whom they are selected.

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

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(LOCAL)

3. Meet high standards for artistic quality, literary style, authenticity, educational significance, factual content, physical format, presentation, readability, and technical quality.
4. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives. [See also EMB regarding instruction about controversial issues.]
5. Promote literacy.
6. Not be in violation of Texas Penal Code 43.24 or any other applicable law, rule, or regulation.
7. Are designed to help students gain an awareness of our pluralistic society.
8. Are designed to provide information that will motivate students and staff to examine their own attitudes and behavior; to understand their duties, responsibilities, rights, and privileges as citizens participating in our society; and to make informed choices in their daily lives.
9. Are viewed as a whole and are not excluded because of isolated passages or illustrations, language, and the like being taken out of context.
10. Provide a wide range of background information that will enable students to make intelligent judgments in their daily lives.
11. To the extent possible while ensuring instruction in the TEKS, are designed to develop each student's civil knowledge, including:
 - An understanding of:
 - The fundamental moral, political, and intellectual foundations of the American experiment in self-government;
 - The history, qualities, traditions, and features of civic engagement in the United States;
 - The structure, function, and processes of government institutions at the federal, state, and local levels; and
 - The founding documents of the United States.
 - The ability to:

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(LOCAL)

- Analyze and determine the reliability of information sources;
- Formulate and articulate reasoned positions;
- Understand the manner in which local, state, and federal government works and operates through the use of simulations and models of governmental and democratic processes;
- Actively listen and engage in civil discourse, including discourse with those with different viewpoints; and
- Participate as a citizen in a constitutional democracy by voting.
- An appreciation of:
 - The importance and responsibility of participating in civic life;
 - A commitment to the United States and its form of government; and
 - A commitment to free speech and civil discourse.

When providing instruction regarding the founding documents of the United States, these shall be presented appropriately for the grade level, and in an objective, neutral, comprehensive, and unbiased manner that respects the entirety of the document. The founding documents of the United States include the Declaration of Independence; the United States Constitution; the Federalist Papers, including the Essays 10 and 51; excerpts from Alexis de Tocqueville's *Democracy in America*; the transcript of the first Lincoln-Douglas debate; the writings of the founding fathers of the United States; Frederick Douglass's speeches "The Meaning of July Fourth for the Negro" and "What the Black Man Wants"; and Martin Luther King Jr.'s speech "I Have a Dream," all taken as a whole.

District professional staff may select additional instructional materials in accordance with administrative regulations and the criteria above.

Administrators, teachers, other District personnel, parents, and community members, as appropriate, may recommend instructional materials for selection. Gifts of instructional materials shall be evaluated according to these criteria and accepted or rejected in accordance with CDC(LOCAL).

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

Selection of instructional materials is an ongoing process that includes the removal of materials no longer appropriate and the periodic replacement or repair of materials that still have educational value.

All instructional materials selected should at least meet the content restrictions set out in policy EFB(LOCAL) on library materials.

Controversial Issues

District professional staff shall endeavor to maintain a balanced collection representing various views when selecting instructional resources on controversial issues. Resources shall be chosen to clarify historical and contemporary forces by presenting and analyzing intergroup tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems. [See also EMB regarding instruction about controversial issues and EHAA regarding human sexuality instruction.]

Prohibited Materials

Prohibited materials are instructional materials that are pervasively vulgar, obscene¹, or that adopt, support, or promote subject matter that has been prohibited by law or by the District, including any such instructional resources described in EMB(LOCAL).

Prohibited materials shall not be used, introduced, or provided to any students in any District school or otherwise.

For purposes of this policy, and in accordance with Texas Penal Code 43.21, "obscene" means materials or a performance that:

1. The average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex;
2. Depicts or describes:
 - a. Patently offensive representations or description of ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or
 - b. Patently offensive representations or descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs; and
3. Taken as a whole, lacks serious literary, artistic, political, and scientific value.

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

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Although the Board will rely on the District's professional staff to select and acquire instructional materials used in the District's educational program, the Board reserves the right to determine, in an open meeting that complies with the Texas Open Meetings Act, those instructional materials that are obscene or should otherwise be classified as prohibited materials.

On an annual basis, or as otherwise necessary as determined by the Board in its sole discretion, any and all instructional materials that address or contain human sexuality and/or nudity, sexually explicit acts, or graphic presentations of sexual behavior and sexually transmitted diseases arising out of such behavior, that the District intends to use in any manner as instructional resources, shall first be presented to the Board in an open meeting in accordance with the Texas Open Meetings Act. During the open meeting, the administration shall inform parents, legal guardians, and the Board regarding the educational value of, and the reasoning behind, the use and selection of the materials as instructional resources. The Board shall vote on:

1. Whether to include or exclude the materials as instructional resources; and
2. Whether to characterize such materials as prohibited materials.

Any and all materials that the Board has specifically voted to include or exclude from the District's available instructional materials or resources shall be posted on the District's website and maintained in a searchable database that allows District personnel and the public to review detailed information concerning the materials including:

1. The identity of the included or excluded materials;
2. The administration's position regarding the educational value of, and reasoning behind, the proposed use and selection of the materials;
3. How each of the materials is being utilized by the District and at which campuses and classrooms the materials are available to students; and
4. The vote of the Board.

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

**Challenged
Resources**

**Reconsideration of
Instructional
Materials**

A District employee or a parent or guardian of a District student, ~~a student who is 18 years of age or older, an individual employee, or any District resident~~ may ~~challenge an~~ request reconsideration of instructional material used in the District's educational program on the basis that the instructional material fails to meet the standards set forth in this policy.

Guiding Principles

The guiding principles, standards, and expectations in policy EFB(LOCAL) relating to library materials also apply to instructional materials.

The following principles shall guide the Board and staff in responding to ~~challenges~~ a request for reconsideration of instructional materials¹:

1. A complainant may raise an objection to an instructional material used in a school's educational program, despite the fact that the professional staff selecting the materials were qualified to make the selection, followed the proper procedure, and adhered to the objectives for instructional materials set out in this policy and comply with the content guidelines attached as an exhibit to EFB(LOCAL).
2. A parent's ability to exercise control over instruction extends only to his or her own child as set forth in Education Code Chapter 26.
3. Access to a challenged material shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child's parent.

Reconsideration

The major criterion for the final decision on challenged instructional materials is the appropriateness of the material for its intended educational use. No challenged instructional material shall be removed solely because of the ideas expressed therein.

The challenge process set out in policy EFB(LOCAL) will be utilized for all challenges to instructional material.

**Frequency of
Review**

After an instructional material has been reviewed through formal reconsideration, it shall not be reviewed again until it is evaluated in the periodic local selection process.

Appeal

The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting at the appropriate level. [See DGBA, FNG, and GF]

¹ As that term is used in ~~Texas~~ Penal Code 43.21.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

Complaints

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

Other Complaint
Processes

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

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 removal to a disciplinary alternative education program shall be submitted in accordance with FOC and the Student Code of Conduct.
7. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
8. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
9. 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.
10. 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.

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STUDENT AND PARENT COMPLAINTS/GRIEVANCES

FNG
(LOCAL)

11. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
12. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with [the CKE series](#).
13. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
14. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.
15. 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)]

Extracurricular
Activities

In accordance with Texas Education Code 26.001, the District is not required to address a complaint concerning a student's participation in an extracurricular activity that does not involve a violation of Chapter 26 of the Education Code. Complaints regarding extracurricular activities shall be addressed by the appropriate campus administrator and appealed to the campus principal. The campus principal and the director of Fine Arts and/or the athletic director shall collaboratively come to a decision. The decision of the principal and director shall be final.

**Notice to Students
and Parents**

The District shall inform students and parents of this policy through appropriate District publications.

Guiding Principles

Informal Process

The Board encourages students and parents to discuss their concerns and complaints through informal conferences with the appropriate teacher, principal, or other 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 or as otherwise provided in this policy.

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT AND PARENT COMPLAINTS/GRIEVANCES

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Formal Process	<p>A student or parent may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. The Superintendent or designee shall have the right to direct the complainant to an informal conference with the appropriate school personnel. The complainant must comply with such directive before the complaint proceeds. Such directive may be given at any level of the proceedings and such directive shall suspend or extend any applicable deadlines as determined by the Superintendent or designee. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p>
Freedom from Retaliation	<p>Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.</p>
General Provisions Filing	<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 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 or before the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline. The District shall communicate regarding the complaint and related procedures in the same manner—via hand-delivery, fax, email, or U.S. Mail.</p>
Scheduling Conferences	<p>The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student or parent fails to appear at a scheduled conference, the District may dismiss the complaint. If the complaint is dismissed, it may be refiled, but only if within the time period for filing a complaint.</p>
Response	<p>At Levels One and Two, “response” shall mean a written communication to the student or parent from the appropriate administrator. Responses shall be hand-delivered, faxed, sent by electronic communication to the student’s or parent’s email address of record, or sent by U.S. Mail to the student’s or parent’s mailing address of</p>

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	<p>record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.</p>
Days	<p>“Days” shall mean District business days, 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>
Representative	<p>“Representative” shall mean any person who or organization that is designated by the student or parent to represent the student or parent in the complaint process. A student may be represented by an adult at any level of the complaint.</p> <p>The student or parent may designate one representative through written notice to the District at any level of this process. If the student or parent designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. A student or parent shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p>
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the student or parent, at any point during the complaint process. The student or parent may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
Meritless Complaints	<p>Fair and appropriate due process consideration shall be given to all complaints or grievances. Honesty, candor, courtesy, professionalism, cooperation, and respect must occur throughout the process. The Superintendent or designee shall have the right at any time after a complaint is filed to examine whether any complaint or grievance is without merit. Consideration shall be given, but not be limited to, whether the relief requested has already been granted, the substance of the claim, the diligence of the party asserting the claim, the nature of the claim, whether the claim has been repetitively asserted previously in the same or similar form or fashion, and the current and prior conduct of the complainant including, but</p>

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not limited to, the complainant's unwillingness to cooperate with school personnel regarding the complaint.

The Superintendent or designee may request that the complainant explain, correct, support, or substantiate any allegation asserted and when doing so shall give the complainant a reasonable time in which to respond. That reasonable time period shall extend the written response deadline for a decision by the Superintendent or designee by an equivalent period of time.

An appeal of a dismissal based on the complaint or portion thereof being without merit shall be limited to the findings made by the Superintendent or designee that such complaint or portion thereof is without merit. Should the Board determine that the complaint or any portion thereof is not without merit, then the Board shall return the proceeding in its entirety to the Superintendent or designee for further action.

Costs Incurred

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

**Complaint and
Appeal Forms**

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

Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, copies may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the student or parent unless the student or parent did not know the documents existed before the Level One conference.

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

Level One

Complaint forms must be filed:

1. Within 15 days of the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

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

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If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

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

The appropriate administrator shall investigate as necessary and schedule a conference with the student or parent within ten days after receipt of the written complaint. The administrator may set reasonable time limits for the conference.

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

Level Two

If the student or parent did not receive the relief requested at Level One or if the time for a response has expired, the student or parent may request a conference with the Superintendent or designee to appeal the Level One decision.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

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

The Level One record shall include:

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

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

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

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

Level Three

If the student or parent did not receive the relief requested at Level Two or if the time for a response has expired, the student or parent may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The ~~Superintendent~~ Board or its designee, including the Board attorney, shall inform the student or parent of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

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

The Level Two record shall include:

1. The Level One record.
2. The notice of appeal from Level One to Level Two.
3. The written response issued at Level Two and any attachments.
4. All other documents relied upon by the administration in reaching the Level Two decision.
5. The appeal shall be limited to the issues and documents considered at Level Two, except that if at the Level Three hearing

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the administration intends to rely on evidence not included in the Level Two record, the administration shall provide the student or parent notice of the nature of the evidence at least three days before the hearing. **Additionally, if at the Level Three hearing the student or parent intends to rely on evidence not included in the Level Two record, the student or parent shall provide the administration and the Board notice of the nature of the evidence at least three days before the hearing.**

Presentation to the Board

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

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

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

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.

Complaints

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

Only members of the public who have a legitimate interest in the District may utilize this public complaint process. Members of the public who have a legitimate interest include, but are not limited to, District residents, District taxpayers, District voters, District business owners, and current and potential District vendors. The Superintendent or designee may dismiss any grievance from an individual who does not have a legitimate interest in the District.

An appeal of a dismissal based on the individual not having a legitimate interest in the District shall be limited to the findings made by the Superintendent or designee that there is no legitimate interest in the District. Should the Board determine that the individual does have a legitimate interest in the District, then the Board shall return the proceeding in its entirety to the Superintendent or designee for further action.

Other Complaint Processes

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

1. Complaints concerning instructional resources shall be filed in accordance with the EF series.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be filed in accordance with [the CKE series](#).

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 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 or as otherwise provided by this policy.

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Formal Process	<p>An individual may initiate the formal process described below by timely filing a written complaint form.</p> <p>Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. The Superintendent or designee shall have the right to direct the complainant to an informal conference with the appropriate school personnel. The complainant must comply with such directive before the complaint proceeds. Such directive may be given at any level of the proceedings and such directive shall suspend or extend any applicable deadlines as determined by the Superintendent or designee. An individual whose concerns are resolved may withdraw a formal complaint at any time.</p> <p>The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.</p>
Freedom from Retaliation	<p>Neither the Board nor any District employee shall unlawfully retaliate against any individual for bringing a concern or complaint.</p>
General Provisions	
Filing	<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 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 days after the deadline. The District shall communicate regarding the complaint and related procedures in the same manner—via hand-delivery, fax, email, or U.S. Mail.</p>
Scheduling Conferences	<p>The District shall make reasonable attempts to schedule conferences at a mutually agreeable time. If a student or parent fails to appear at a scheduled conference, the District may dismiss the complaint. If the complaint is dismissed, it may be refiled, but only if within the time period for filing a complaint.</p>
Response	<p>At Levels One and Two, “response” shall mean a written communication to the individual from the appropriate administrator. Responses may be hand-delivered, faxed, sent by electronic communication to the individual’s email address of record, or sent by U.S. Mail to the individual’s mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.</p>

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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.”</p>
Representative	<p>“Representative” shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.</p> <p>The individual may designate one representative through written notice to the District at any level of this process. If the individual designates a representative with fewer than three days’ notice to the District before a scheduled conference or hearing, the District may reschedule the conference or hearing to a later date, if desired, in order to include the District’s counsel. The District may be represented by counsel at any level of the process.</p>
Consolidating Complaints	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not file separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p>
Untimely Filings	<p>All time limits shall be strictly followed unless modified by mutual written consent.</p> <p>If a complaint form or appeal notice is not timely filed, the complaint may be dismissed, on written notice to the individual, at any point during the complaint process. The individual may appeal the dismissal by seeking review in writing within ten days from the date of the written dismissal notice, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p>
Meritless Complaints	<p>Fair and appropriate due process consideration shall be given to all complaints or grievances. Honesty, candor, courtesy, professionalism, cooperation, and respect must occur throughout the process. The Superintendent or designee shall have the right at any time after a complaint is filed to examine whether any complaint or grievance is without merit. Consideration shall be given, but not be limited to, whether the relief requested has already been granted, the substance of the claim, the diligence of the party asserting the claim, the nature of the claim, whether the claim has been repetitively asserted previously in the same or similar form or fashion, and the current and prior conduct of the complainant including, but not limited to, the complainant’s unwillingness to cooperate with school personnel regarding the complaint.</p> <p>The Superintendent or designee may request that the complainant explain, correct, support, or substantiate any allegation asserted</p>

and when doing so shall give the complainant a reasonable time in which to respond. That reasonable time period shall extend the written response deadline for a decision by the Superintendent or designee by an equivalent period of time. A finding by the Superintendent or designee that the complaint in its entirety is without merit shall result in a dismissal of the complaint. The Superintendent or designee may find only a portion of the complaint to be without merit. In such event, the Superintendent or designee shall dismiss the portion of the complaint found to be without merit and rule upon the remainder of the complaint as appropriate.

An appeal of a dismissal based on the complaint or portion thereof being without merit shall be limited to the findings made by the Superintendent or designee that such complaint or portion thereof is without merit. Should the Board determine that the complaint or any portion thereof is not without merit, then the Board shall return the proceeding in its entirety to the Superintendent or designee for further action.

Costs Incurred

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

**Complaint and
Appeal Forms**

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

Copies of any documents that support the complaint should be attached to the complaint form. If the individual does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted by the individual unless the individual did not know the documents existed before the Level One conference.

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

Level One

Complaint forms must be filed:

1. Within 15 days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the lowest level administrator who has the authority to remedy the alleged problem.

If the only administrator who has authority to remedy the alleged problem is the Superintendent or designee, the complaint may begin at Level Two following the procedure, including deadlines, for filing the complaint form at Level One.

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

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

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

Level Two

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

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level One response or, if no response was received, within ten days of the Level One response deadline.

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

The Level One record shall include:

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

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

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

Level Three

If the individual did not receive the relief requested at Level Two or if the time for a response has expired, he or she may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ten days of the date of the written Level Two response or, if no response was received, within ten days of the Level Two response deadline.

The ~~Superintendent~~ Board or its designee, including the Board attorney, shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board

The Superintendent or designee shall provide the Board the record of the Level Two appeal. The individual may request a copy of the Level Two record.

The Level Two record shall include:

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

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

Additionally, if at the Level Three hearing the individual intends to rely on evidence not included in the Level Two record, the individual shall provide the administration and the Board notice of the nature of the evidence at least three days before the hearing.

Presentation to the
Board

The District shall determine whether the complaint will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

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

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two.