

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 [has been followed](#):

1. Complaints alleging discrimination or harassment based on race, color, religion, sex, gender, national origin, age, or disability shall be submitted in accordance with [the FFH series](#).
2. Complaints concerning dating violence shall be submitted in accordance with [the FFH series](#).
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with [the FFH series](#).
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
8. Complaints within the scope of Section 504, including complaints concerning identification, evaluation, or educational placement of a student with a disability, shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints within the scope of the Individuals with Disabilities Education Act, including complaints concerning identification, evaluation, educational placement, or discipline of a student

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

10. Complaints concerning instructional resources shall be submitted in accordance with the EF series.
11. Complaints concerning a commissioned peace officer who is an employee of the District shall be submitted in accordance with the CKE series.
12. Complaints concerning intradistrict transfers or campus assignment shall be submitted in accordance with FDB.
13. Complaints concerning admission, placement, or services provided for a homeless student shall be submitted in accordance with FDC.
14. Complaints concerning disputes regarding a student's eligibility for free or reduced-priced meal programs shall be submitted in accordance with COB.

~~15. Complaints regarding extracurricular activities or appeals of disciplinary action other than expulsion shall be addressed in accordance with the Administrative Complaint Process.~~

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

Notice to Students and Parents

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

Guiding Principles

Informal Process

The Board encourages students and parents to discuss their concerns with the appropriate teacher, principal, or other appropriate campus or District administrator who has the authority to address the concerns. Concerns should be expressed as soon

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as possible to allow early resolution at the lowest possible administrative level.

Filing Deadlines

After Informal Process

If a student or parent has engaged in the informal process in an attempt to resolve the complaint with the District and has not reached a resolution shall be encouraged but during the process, the student or parent shall have the later of:

- Ninety calendar days to file a complaint from the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint; or
- Thirty calendar days to file a complaint from the date on which the District provided information to the student or parent regarding how to file a grievance.

[See Formal Process, below]

No Prior Informal Process

If the student or parent has not engaged in the informal process, the student or parent shall not extend any have no more than 60 calendar days from the date the student or parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance to file a complaint using the appropriate form.

Deadline Extensions

All deadlines in this policy, except shall be strictly followed unless otherwise required by law or modified by mutual written consent.

Formal Process

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

~~Even after initiating the formal complaint process, students and parents are encouraged to seek informal resolution of their concerns. A student or parent whose concerns are resolved may withdraw a formal complaint at any time.~~

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or

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Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

The complaint form shall be filed with the District-level administrator designated to accept formal complaint filings. The District-level administrator will assign the complaint to be heard by the lowest-level administrator who has the authority to remedy the alleged problem. In most circumstances, Level One complaints filed by students and parents will be assigned to be heard by the campus principal for any complaint on a matter related to a campus. For a complaint that arises on a matter that is unrelated to a campus, the complaint will be assigned to be heard by the appropriate District-level administrator.

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

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

Option to Continue Informal Process

Even after initiating the formal complaint process, the complainant is encouraged to seek informal resolution of their concerns. A complainant whose concerns are resolved may withdraw a formal complaint at any time.

Notice of Complaint

A District employee against whom a complaint has been filed shall be provided notice of the complaint in accordance with administrative regulations. The employee shall have sufficient opportunity to submit a written response to the complaint that shall be included in the record of the complaint.

Freedom from Retaliation

Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

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General Provisions

Filing

Complaint forms and appeal notices may be filed by ~~hand-delivery, or by electronic portal submission. ommunication, including email and fax, or by U.S. Mail. Hand-delivered filings shall be timely filed if received inby the District's central officeappropriate administrator or designee by the close of business on the deadline.~~ Filings submitted by electronic ~~submission 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 submission~~. Mail filings shall be timely filed if they are postmarked by U.S. Mail on or before the deadline and received in the District's central officeby the appropriate administrator or designated representative no more than three business days after the deadline. Once received in the District's central office, the complaint shall be assigned to the appropriate administrator.

Scheduling ~~Conferences~~Hearings

The District shall make reasonable attempts to schedule ~~conferenceshearings~~ at a mutually agreeable time. If a ~~student or parentcomplainant~~ fails to appear at a scheduled ~~conferencehearing~~, the District may hold the ~~conferencehearing~~ and issue a decision in the ~~student's or parent'scomplainant's~~ absence.

Response

At Levels One and Two, "responseDecision

A "decision" shall mean a written communication to the ~~student or parentcomplainant~~ from the appropriate administrator. ~~Responses that provides an explanation of the basis of the decision, an indication of each document that supports the decision, and any relief or redress to be provided. A decision shall be issued on the merits of the concern raised in the complaint notwithstanding any procedural errors or the type of relief or redress requested, unless issuance of a decision on the merits of the concern is otherwise prohibited by law.~~

The decision shall also include information regarding the filing of an appeal in accordance with this policy. After a hearing at Level

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Three, the decision shall include information on submitting an appeal to the commissioner.

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

Days

"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."

Representative

"Representative" shall mean any person who or organization that is designated by the student or parent complainant to represent the student or parent complainant in the complaint process. A student may be represented by an adult at any level of the complaint.

The student or parent complainant may designate a representative through written notice to the District at any level of this process. The representative may participate in person or by telephone conference call. If the student or parent complainant designates a representative with fewer than three business 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.

Consolidating Complaints

Complaints by a single complainant shall be consolidated to ensure and assist To promote efficiency in scheduling addressing complaints, the fewest conferences or appeals. This may result in extending the timeline for a District administrator's response to a complaint. A student or parent shall not file appropriate administrator shall determine if separate or serial complaints arising from anyan event or series of related events that have been or could have been addressed in a previous complaint.

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Timelines

~~All time limits shall be strictly followed unless a complaint is abated for consolidation, the assigned administrator determines additional time is needed to complete a thorough investigation, or the complaint is modified by mutual written consent.~~

Untimely Filings

~~If a complaint form or appeal notice is not timely filed or the complaint is or becomes moot and no longer an issue, 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 to the administrator who dismissed the complaint by submitting an appeal in writing within ten days from the date of the written dismissal notice. The administrator's decision on the appeal shall be final.~~

Improperly Filed Complaints

~~A complaint shall be deemed improperly filed and dismissed for the following reasons:~~

- ~~• The issue for which the complaint is filed has already been addressed or resolved.~~
- ~~• The complaint is not filed on the required form.~~
- ~~• The complaint form is incomplete or missing information in any material aspect such as the complainant's name, a description of the issue, or the requested relief.~~
- ~~• The requested relief cannot be legally granted by the District.~~
- ~~• The complaint is regarding conduct by an individual, group, or organization other than the District.~~
- ~~• The complaint is regarding an issue that has not yet happened.~~

~~The dismissal of a complaint under these circumstances shall not be appealable; however, the complaint may be refiled with all the required information if the re-filing is within the designated time for filings shall be consolidated.~~

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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 on a form provided by the District through electronic submission. If a complainant needs an accommodation to complete the form via hand-delivery rather than electronic submission, the complainant should contact the District-level administrator assigned to accept formal grievance filings to request a physical in-writing on a form to be provided by the District. If a complainant is granted an accommodation, hand-delivered filings will be timely filed if received by the District-level administrator assigned to accept formal grievance filings or designee by the close of business on the deadline.

Copies of any documents that support the complaint should be attached to included with the complaint filing form. If the student or parent/complainant does not have copies of these documents, copies may be presented at the Level One conference/hearing. After the Level One conference, no new hearing, the complainant may supplement the record with additional documents may or include additional claims.

Record

A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the student or parent unless the student or parent did not know the documents existed before complainant, documents determined relevant by District personnel, and the decision.

Remand

A complaint or appeal form that is incomplete in any material aspect shall be refiled. If the complainant presents additional complaints, evidence or requested remedies at following the Level One hearing, the complaint may be conference, and remanded at all other levels in order to develop an adequate record of the complaint.

If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level, including remand to Level One, if appropriate. The Board or Board

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committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.

Assignment of Hearing Officer

If the only administrator who has authority to remedy the alleged problem is the Superintendent, the complaint may begin at the appropriate level in accordance with this following this policy, including a hearing in front of another administrator to develop an adequate record of the complaint. Any established deadlines will remain in place.

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

Investigation

The District may conduct an investigation at any level in the complaint process. If the District and the complainant mutually agree, all deadlines shall be suspended during an investigation. If an investigation is necessary under a policy that requires appeals to be submitted in accordance with FNG only after the relevant complaint process under a different policy has been followed, the FNG process may be abated by the District to allow the relevant investigation and complaint process to be followed prior to consideration at any level of the FNG process.

Complaint Levels

Level One

~~Complaint forms must be filed:~~

- ~~16. Within 15 calendar 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~~
- ~~17. With the lowest level administrator who has the authority to remedy the alleged problem.~~

~~In most circumstances, students and parents shall file At 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~~appropriate hearing officer shall investigate as necessary and schedule ~~hold~~ a conference ~~hearing~~ with the ~~student or parent complainant~~ within ~~ten~~10 calendar days after receipt of the written complaint. The ~~administrator~~hearing officer may set reasonable time limits for the ~~conference~~hearing.

~~Absent extenuating circumstances, the administrator~~The hearing officer shall provide the ~~student or parent complainant~~ a ~~written response decision~~ within ~~ten~~20 calendar days following the ~~conference~~hearing. In reaching a decision, the ~~administrator~~hearing officer may consider information provided ~~at~~with the ~~Level One conference~~complaint form and any other relevant documents or information the ~~administrator~~hearing officer believes will help resolve the complaint.

Level Two

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

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

~~The request must contain the following:~~

~~48. The name, address, and telephone number~~After receiving notice of the ~~student or parent.~~

~~49. The name, address, and telephone number of the designated representative of the student or parent, if any.~~

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~~20. A clear indication that the student or parent wishes to appeal, the District-level administrator assigned to receive formal complaints will collaborate with the Level One decision.~~

~~21. A detailed statement specifically identifying how the student or parent disagrees with the outcome at Level One.~~

~~22. The date of filing.~~

~~23. The signature of the student or parent and the designated representative, if any.~~

~~The District shall make available to students and parents forms that comply with these requirements. Regardless of whether a request for an appeal is submitted on the District's form, the request for an appeal is referred to as an "appeal notice."~~

~~After receiving the appeal request, the Level One administrator/hearing officer shall to prepare and forward a record of the Level One complaint to the Level Two administrator. The student or parent may request hearing officer. The hearing officer shall and provide a copy of the Level One record to the complainant upon written request by the complainant.~~

~~The Level One record shall include:~~

~~24.1. The original complaint form and any attachments.~~

~~25.15. AllAny other documents submitted by the student or parent/complainant at Level One.~~

~~16. The If the complaint is against a District employee, the written response of the District employee, if any.~~

~~26.17. The decision issued at Level One and any attachments.~~

~~27.18. All other documents relied upon by the Level One administrator/hearing officer in reaching the Level One decision.~~

~~The Superintendent or designee/hearing officer shall schedule/hold a conference/hearing within ten/10 calendar days after the appeal request/notice is filed. The conference shall be 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/hearing officer may set reasonable time limits for the conference/hearing.~~

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

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

Level Three

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

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

~~The request must contain the following:~~

- ~~28. The name, address, and telephone number of the student or parent.~~
- ~~29. The name, address, and telephone number. Unless the Board delegates a committee in accordance with law, the Board shall consider the appeal of the designated representative of the student or parent, if any.~~
- ~~30. A clear indication that the student or parent wishes to appeal the Level Two decision.~~
- ~~31. A detailed statement specifically identifying how the student or parent disagrees with the outcome at Level Two.~~
- ~~32. The date of filing.~~
- ~~33. The signature of the student or parent and the designated representative, if any.~~

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~~The District shall make available forms that comply with these requirements.~~

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

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

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

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

The Level Two record shall include:

~~34-19.~~ The Level One record.

~~35-20.~~ The notice of appeal ~~request~~ from Level One to Level Two.

~~21.~~ Any other documents submitted by the complainant at Level Two.

~~36-22.~~ The ~~written response~~ decision issued at Level Two and any attachments.

~~37-23.~~ 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 Level Three 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 Board meeting at which the Level Three appeal shall be considered.~~

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Presentation to the Board

~~A Level Three appeal shall be considered by the Board through written submission unless two members of the Board complainant may request that the appeal be heard by oral presentation at a Board meeting. A request for oral presentation must be made by a Board member at least ten days before the next regularly scheduled Board meeting.~~

Written Submission

~~When the Level Three appeal is to be considered on written submission, the District shall provide written notice to the student or parent of the process by which the written submission is to be made and the deadline for providing the submission. The Superintendent or designee 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 consideration by the Board.~~

Oral Presentation

~~If the Board requests oral presentations for the Level Three complaint, the Superintendent or designee 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 consideration by the Board.~~

~~The District shall determine whether the complaint will be presented be considered in open or closed meeting in accordance with. The District shall honor that request unless the Texas Open Meetings Act and/or other applicable law requires otherwise. [See BE]~~

~~The~~At the meeting, the presiding officer may set reasonable time limits and guidelines for the ~~oral presentations~~presentation, including an opportunity for the ~~student or parent complainant~~ and administration to each make a presentation, either orally or in writing, 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.~~Board members, if requested by the Board.

In addition to any other record of the ~~Board~~ meeting required by law, the Board or Board committee shall prepare a separate record of the Level Three appeal. If the Level Three appeal is made orally, at the request of the Board, including the presentation of information by the ~~student or parent complainant~~ or the

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~~student's complainant's~~ representative, any presentation from the administration must be preserved as part of the Level Three record, and questions from ~~the~~ Board members with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

~~Board Response~~

~~After reviewing the written submission or listening to the oral presentations, as applicable, t~~The Board or Board committee 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~~shall make a decision ~~regarding~~no later than 30 calendar days after the date of the Board or Board committee meeting at which 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 Twowas presented. The complainant shall be provided a decision in accordance with this policy and state law.

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