

**Violations of  
Standards of  
Conduct**

**Covered Activities**

**Inappropriate  
Conduct**

**Duty to Report**

Each District employee shall perform his or her duties in accordance with state and federal law, District policy, and ethical standards. The District holds all employees accountable to the Educators' Code of Ethics. [See DH(EXHIBIT)]

Each District employee shall recognize and respect the rights of students, parents, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the District.

An employee wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

Each employee shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to his or her status as a District employee. Violation of any policies, regulations, or guidelines, including intentionally making a false claim, offering a false statement, or refusing to cooperate with a District investigation, may result in disciplinary action, including termination of employment. [See DCD, DCE, and DF series]

Each District employee has the responsibility to protect District assets and is expected to be alert to the potential for theft of property, theft of services, theft of anything of value, fraud, and financial impropriety. [See CAA]

Examples of activities constituting inappropriate conduct include, but are not limited to, the following:

1. Misappropriation of activity funds or any funds collected by the District;
2. Misappropriation of District furniture, fixtures, or equipment;
3. Misappropriation of funds through fraudulent reporting on travel records;
4. Forgery or alteration of District checks;
5. Forgery or alteration of District purchase orders; and
6. Forgery or alteration of payroll time sheets.

Any employee who knows or has reason to know of or suspects an occurrence of fraud, misappropriation, financial impropriety, or covered activity shall immediately notify his or her supervisor. If the employee has reason to believe that the supervisor may be involved, the employee shall immediately notify the department of human resources.

The employee shall not discuss the matter with anyone other than his or her supervisor and/or the police department. Employees who knowingly make false allegations shall be subject to discipline up to and including dismissal.

**Investigation Duties** During the investigation, employees should:

1. Direct all inquiries from suspected individuals, attorneys, or representatives to the department of human resources;
2. Not contact the suspected individual in an effort to determine facts or demand restitution;
3. Not discuss the case, facts, suspicions, or allegations with anyone outside the organization or those within the organization who do not have a legitimate need to know, unless specifically asked to do so by the department of human resources; and
4. Cooperate with the investigative process by answering questions, furnishing written statements, and volunteering information important to the investigation.

Throughout the course of an official District investigation or inquiry, every District employee has an affirmative duty to provide all relevant and factual information about the situation to his or her supervisor or any other District official investigating the matter.

An employee failing to volunteer such information shall receive a directive from an administrator to provide a statement. Failure to comply with the directive shall constitute insubordination, a violation that has grounds for disciplinary action up to and including termination. [See DCD, [DCE](#), and DF series]

When directed by an administrator or a District investigator, an employee shall submit a notarized affidavit about his or her knowledge of the matter under investigation. Intentional falsification, misstatement, or the concealment of a material fact in connection with the investigation shall be grounds for disciplinary action up to and including termination. Additionally, providing false or incorrect statements under oath may subject the employee to a criminal charge of perjury.

**Weapons Prohibited** The District prohibits the use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on District property at all times.

**Exceptions** No violation of this policy occurs when:

1. Use or possession of a firearm by a specific employee is authorized by Board action [see the CKE series];

2. A District employee who holds a ~~Texas~~-handgun license in accordance with state law stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, provided the handgun or other firearm is not in plain view; or
3. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]

**Electronic Communication**

Use with Students

A certified employee, licensed employee, or any other employee designated in writing by the Superintendent or a campus principal may use electronic communication, as this term is defined by law, with currently enrolled students only about matters within the scope of the employee's professional responsibilities.

Unless an exception has been made in accordance with the employee handbook or other administrative regulations, an employee shall not use a personal electronic communication platform, application, or account to communicate with currently enrolled students.

Unless authorized above, all other employees are prohibited from using electronic communication directly with students who are currently enrolled in the District. The employee handbook or other administrative regulations shall further detail:

1. Exceptions for family and social relationships;
2. The circumstances under which an employee may use text messaging to communicate with individual students or student groups;
3. Hours of the day during which electronic communication is discouraged or prohibited; and
4. Other matters deemed appropriate by the Superintendent.

In accordance with ethical standards applicable to all District employees [see DH(EXHIBIT)], an employee shall be prohibited from using electronic communications in a manner that constitutes prohibited harassment or abuse of a District student; adversely affects the student's learning, mental health, or safety; includes threats of violence against the student; reveals confidential information about the student; or constitutes an inappropriate communication with a student, as described in the Educators' Code of Ethics.

An employee shall have no expectation of privacy in electronic communications with students. Each employee shall comply with the District's requirements for records retention and destruction to

the extent those requirements apply to electronic communication.  
[See CPC]

Personal Use	All employees shall be held to the same professional standards in their public use of electronic communication, including cellular phones that cannot be used for personal purposes during instructional time, as for any other public conduct. If an employee's use of electronic communication, including cellular phones, takes away from instructional time; violates state or federal law or District policy; or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.
Reporting Improper Communication	In accordance with administrative regulations, an employee shall notify his or her supervisor when a student engages in improper electronic communication with the employee.
Disclosing Personal Information	An employee shall not be required to disclose his or her personal email address or personal phone number to a student.
<b>Prohibited Classroom Instruction or Activities</b>	An employee is prohibited from intentionally or knowingly engaging in or assigning to another individual instruction, guidance, activities, or programming prohibited by law [see EMB].
<b>Prohibited Diversity, Equity, and Inclusion Duties</b>	An employee shall be subject to disciplinary action, including termination of employment, if the employee, intentionally or knowingly: <ul style="list-style-type: none"><li>Engages in diversity, equity, and inclusion (DEI) duties.</li><li>Assigns to another individual DEI duties.</li></ul> [See BT(LEGAL)]
<b>Social Transitioning</b>	An employee shall be prohibited from assisting a District student with social transitioning, as the term is defined in law. This prohibition includes providing any information to a District student about social transitioning or guidelines intended to assist a District student with social transitioning.
<b>Safety Requirements</b>	Each employee shall adhere to District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.
<b>Harassment or Abuse</b>	An employee shall not engage in prohibited harassment, including sexual harassment, of: <ol style="list-style-type: none"><li>Other employees. [See DIA]</li><li>Students. [See FFH; see FFG regarding child abuse and neglect.]</li></ol>

While acting in the course of employment, an employee shall not engage in prohibited harassment, including sexual harassment, of other persons, including Board members, vendors, contractors, volunteers, or parents.

An employee shall report child abuse or neglect as required by law. [See FFG]

**Relationships with Students**

An employee shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [See FFH]

As required by law, the District shall notify the parent of a student with whom ~~an educator~~ a District employee or person acting as a service provider for the District is alleged to have engaged in certain misconduct. [See FFF]

[See FFF for parent notification requirements and DHB and DHC for reporting requirements.]

**Tobacco and Nicotine Products and E-Cigarettes**

An employee is prohibited from possessing or using any type of tobacco product, e-cigarette, or any other electronic vaporizing device while on school property, in a District vehicle, or while attending an off-campus school-related activity. An employee is also prohibited from possessing or using any type of nicotine product, including nicotine pouches, regardless of whether the product contains tobacco, while on District property, in a District vehicle, or while attending an off-campus school-related activity.

This policy shall not apply to prohibited items kept in the employee's personal vehicle parked on District property. In addition, an employee's supervisor is authorized to approve an exception to this policy for a smoking cessation product.

**Alcohol and Drugs / Notice of Drug-Free Workplace**

As a condition of employment, an employee shall abide by the terms of the following drug-free workplace provisions. An employee shall notify the Superintendent in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace in accordance with Arrests, Indictments, Convictions, and Other Adjudications, below.

An employee shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours or while on District property or at school-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug,

hallucinogen, stimulant, depressant, amphetamine, or barbiturate.

2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

Exceptions	<p>It shall not be considered a violation of this policy if the employee:</p> <ol style="list-style-type: none"><li>1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;</li><li>2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or</li><li>3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.</li></ol>
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Sanctions	<p>An employee who violates these drug-free workplace provisions shall be subject to disciplinary sanctions. Sanctions may include:</p> <ol style="list-style-type: none"><li>1. Referral to drug and alcohol counseling or rehabilitation programs;</li><li>2. Referral to employee assistance programs;</li><li>3. Termination from employment with the District; and</li><li>4. Referral to appropriate law enforcement officials for prosecution.</li></ol>
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Notice	<p>Employees shall receive a copy of this policy.</p>
Videotaping of Students	<p>An employee shall obtain written consent of a student's parent or guardian and from the campus principal before the employee may make or authorize the videotaping of a student or record or authorize the recording of a student's voice, unless the recording is made by a student for the purpose of facilitating classroom instruction.</p>

Principal's Approval	<p>The principal's written consent shall be obtained prior to videotaping or recording a student even when the law does not require the consent of a parent or guardian, such as when the videotape or</p>
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	recording is to be used for purposes of safety or for a purpose related to regular classroom instruction, as provided by law. [See FL]
Exception	In the case of videotaping a deposition for an employee termination or grievance action, the only consent to be obtained in advance shall be that of the student's parent or guardian.
<b>Care of Nonenrolled Children</b>	An employee shall not bring his or her own child or another person's child to school for the purpose of child care or babysitting. Personnel are employed to perform District functions while on duty and shall not bring or care for a child who is not enrolled on the campus at that time to the building to remain during working hours of the regular school day or summer school, or after school hours if the employee is still performing work-related duties. In instances where an employee has been allowed to enroll his or her child at his or her campus, the principal may allow for the student to be cared for by his or her parent after school/work hours.
<b>Arrests, Indictments, Convictions, and Other Adjudications</b>	An employee shall notify his or her principal or immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee.
<b>Criminal History Background Check</b>	At least once annually, the District may obtain criminal history records of Webb County and the counties contiguous to Webb County. The District may obtain this information from any other county when it has reason to believe that an employee has been convicted of a crime in such county or from a police department, the Department of Public Safety, or the Texas Department of Corrections. [See DC]
	An employee under felony indictment shall be recommended for suspension without pay pending adjudication of his or her case.
<b>Electronic Recording</b>	
Conversations and Meetings	An employee shall not electronically record by audio, video, or other means any conversation or meeting unless each person present has been notified and consents to being electronically recorded. Persons wishing to record a meeting shall obtain consent from anyone arriving late.
Telephone Conversations	An employee shall not electronically record telephone conversations unless all persons participating in the telephone conversation have consented to be electronically recorded.
Public or Other Open Meetings	These provisions are not intended to limit or restrict electronic recordings of publicly posted Board meetings, Board committee meetings, appeals and grievance hearings, or any other Board-sanctioned meeting recorded in accordance with Board policy.

Official Investigations	These provisions are not intended to limit or restrict electronic recordings involving authorized investigations conducted by the police or the department of human resources.
<b>Job Duties</b>	An employee shall not conduct private or personal activities during the workday in lieu of, or while conducting, his or her assigned job duties and responsibilities. Except as permitted by policy, an employee shall not conduct or participate in meetings or individual conferences related to a professional or employee association or organization in lieu of, or while conducting, his or her assigned job duties and responsibilities. [See also DGA and DMD]
<b>Solicitation</b>	Except as approved in advance by the Superintendent or designee or permitted by District policy, commercial solicitation by an employee is prohibited on District property. "Commercial solicitation" for purposes of this policy shall mean: <ol style="list-style-type: none"><li>1. Selling or attempting to sell products or services for personal profit on behalf of a commercial enterprise or for a purpose unrelated to the school or District;</li><li>2. Requesting contributions, pledges, or donations for a purpose unrelated to the school or District; or</li><li>3. Providing items or making announcements that endorse or market a personal or commercial enterprise or a product or service unrelated to the school or District either through personal contact, or by sending or causing to be sent a communication through the District's electronic, telephone, or mail system.</li></ol> "Commercial solicitation" does not mean participation in an authorized District procurement process on behalf of the District or arranged on behalf of District employees.
	An employee may neither meet nor make arrangements to meet on District property with persons conducting commercial solicitation.
	An employee shall not engage in the sale of services, books, equipment, or other items by misrepresenting such services or items as being endorsed or recommended by the District or its officials. Such conduct is prohibited at all times on or off District property. An employee shall obtain consent from the Superintendent or designee before engaging in the sale of services or items endorsed or recommended by the District or its officials. [See also DBD regarding outside employment and for-profit activities.]
<b>Distribution of Nonschool Literature</b>	Duplicated, written, or printed materials, including handbills, petitions, photographs, pictures, films, audiotapes, and other visual or auditory materials concerning private or personal issues shall not

be circulated, publicly displayed, emitted, or distributed on District property at any time unless permission has been obtained in accordance with District policy and only in the locations designated by principals or department supervisors. [See GKDA]

**Identification Badges**

All District employees shall wear their District-issued identification badges in a clearly visible manner while at any District campus or facility. The badges must not be altered and must remain free of any item or material that covers any part of the front surface of the badge. A District employee that observes anyone on campus without a District-issued identification badge or visitor name badge shall inquire as to the person's reason for being at the location. A visitor without a visitor name badge shall be directed to the front office or front desk in order to obtain a visitor name badge. Any person who appears to present a security concern shall be reported immediately to law enforcement and District security.

The employee's picture on his or her identification badge shall be used as the picture on the employee's District email account.

**Electronic Building-Access Cards**

Each District employee issued a District electronic building-access card shall be responsible for safeguarding the card against loss or theft. Should loss or theft occur, the employee shall immediately notify his or her supervisor so that the card can be deactivated.

The District shall replace an employee's lost or stolen electronic building-access card no more than two times. Following that, an employee shall pay a \$10 fee each time his or her card needs to be replaced.

INSTRUCTIONAL ARRANGEMENTS  
LESSON PLANS

EEP  
(LOCAL)

<b>Instructional Plan and Course Syllabus</b>	Prior to the beginning of each semester, each teacher shall provide a copy of the teacher's instructional plan or course syllabus for each class for which the teacher provides instruction. The teacher shall provide this information to the District administration and the parent of each student enrolled in the teacher's class. Additional copies of the instructional plan or course syllabus shall be made available to a parent of a student enrolled upon that parent's request.
District Website	The Superintendent shall develop administrative procedures for the posting of the instructional plans and course syllabi for each class offered in the District on the District's website.

**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.

The District shall provide instructional materials designed to teach the Texas Essential Knowledge and Skills 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.

**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.

The Board shall rely on District professional staff to select and acquire instructional materials that:

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.
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.

INSTRUCTIONAL RESOURCES  
INSTRUCTIONAL MATERIALS

EFA  
(LOCAL)

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).

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.

**Parent Request for  
Instructional Material  
Review**

The Superintendent shall develop administrative regulations to ensure compliance with state law and rules that a parent or guardian of a District student may request an instructional materials review for a subject area in the grade level in which their student is enrolled on the basis of the following:

1. The material is not aligned with District-adopted materials; or
2. The material does not have the appropriate rigor for the grade level for the subject area in which the instructional material is used.

The regulations shall also address procedures for submitting a parent petition to review instructional materials, the appeal process if a petition for review is denied, criteria for reviewing any appeal, and timelines for each step in the process.

**Reconsideration of  
Instructional  
Materials**

**Guiding Principles**

A District employee or a parent or guardian of a District student may 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.

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

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.
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.

INSTRUCTIONAL RESOURCES  
INSTRUCTIONAL MATERIALS

EFA  
(LOCAL)

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.

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.

Informal  
Reconsideration

When the District or a campus receives an objection to the appropriateness of an instructional material, the appropriate administrator shall try to resolve the matter informally. The administrator shall explain the selection process and discuss the intended educational purpose for the instructional material. If appropriate, the administrator may offer a concerned parent an alternative instructional material to be used by that parent's child in place of the challenged material.

If the complainant wishes to make a formal challenge, the administrator shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the instructional material.

Formal Request for  
Reconsideration

A complainant shall make any formal request to reconsider an instructional material on the form provided by the District and shall submit the completed and signed form to the principal. Upon receipt of the form, the principal shall appoint a reconsideration committee.

The reconsideration committee shall include at least one member of the instructional staff who has experience using the challenged material with students or is familiar with the challenged material's content. Other members of the committee may include District-level staff, secondary-level students, parents, and any other appropriate individuals.

All members of the committee shall review the challenged instructional material in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged material conforms to the principles of selection set out in this policy and whether the challenged material will continue to be used in the educational program. The committee shall prepare a written report of its findings. The Superintendent, other appropriate administrators, and the complainant shall receive copies of the report.

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.

INSTRUCTIONAL RESOURCES  
INSTRUCTIONAL MATERIALS

EFA  
(LOCAL)

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]

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**Note:** Unless otherwise noted, the terms "video recording," "video surveillance," and "video monitoring" shall also include any associated audio recordings. In addition, the term "classroom" shall also include other special education settings subject to video and audio recording required by law.

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To promote student safety, the District shall comply with requests for video and audio monitoring of certain ~~self-contained~~ special education classrooms as required by law. Regular or continual monitoring of video recordings shall be prohibited. Video recordings shall not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety.

The ~~Superintendent~~**Superintendent** is responsible for coordinating the provision of equipment to campuses in compliance with the law.

The Superintendent shall ensure that administrative regulations are developed to implement this policy.

**Requests**

For Following Year

A parent of a student receiving special education services and whose placement for the following school year will be in a ~~self-contained~~**special education** classroom eligible for video surveillance may request in writing that a video camera be placed in the classroom by the end of the current school year or by the ~~tenth~~**10th** business day after the student's admission, review, and dismissal (ARD) committee determines the student's placement, whichever is later. If such a request is made, the campus shall begin operation of the camera by the deadlines in law.

For Current Year

Written requests from a parent, assistant principal, principal, staff member, or the Board shall be submitted and processed in accordance with the procedures in law.

Response

As required by law, the District shall provide a response to the requester not later than the seventh business day after receipt of the request.

**Notice**

Before a camera is activated, the principal or designee shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be conducted in the classroom.

**Installation and Operation**

The classroom subject to the request shall begin operation of video surveillance not later than the time frames required in law, except when the District is granted an extension of time.

When the District has installed video cameras in a classroom as required by law, the District shall operate the cameras during the instructional day at all times when one or more students are in the classroom. For purposes of this policy, the instructional day shall be defined as the portion of a school day during which instruction is taking place in the classroom.

For the school year in which a campus receives a request for video and audio surveillance, the campus shall continue to operate and maintain any video cameras placed in the classroom for as long as the classroom continues to satisfy the requirements in Education Code 29.022(a). However, the campus may discontinue operation of the video camera during the year if the requester withdraws the request in writing and no request is submitted to continue the surveillance. Before a camera is deactivated, the principal shall provide advance written notice to staff on the campus and to parents of the students assigned to or engaging in school activities in the classroom that video and audio surveillance will be discontinued in the classroom and of the opportunity to request continued video and audio surveillance.

Video cameras must be capable of recording video and audio of all areas of the classroom, including a room attached to the classroom used for time out as defined by law. No visual monitoring, other than incidental coverage, shall be conducted of the inside of a bathroom or other area used for changing a student's clothes.

The District shall post notice at the entrance to a classroom in which video cameras are placed stating that video and audio surveillance is conducted in that classroom.

#### **Retention of Recordings**

Video recordings shall be retained for at least three months after the date of the recording but may be retained for a longer period in accordance with the District's records management program, or as required by law. [See CPC]

#### **Confidentiality of Recordings**

Video recordings made in accordance with this policy shall be confidential and shall only be released or viewed by the individuals and in the limited circumstances permitted by law. The following individuals shall have authority to view video recordings to the extent permitted by the Family Educational Rights and Privacy Act (FERPA):

1. A District employee or a parent of a student who is involved in an alleged incident documented by a recording and reported to the District;
2. Appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation of alleged abuse or neglect of a child;

3. A peace officer, school nurse, District administrator trained in de-escalation and restraint techniques, or human resource staff member in response to a report of an alleged incident or an investigation of an employee or a report of alleged abuse committed by a student; and
4. Appropriate Texas Education Agency or State Board for Educator Certification personnel or their agents as part of an investigation.

For purposes of this policy, the term "human resource staff member" shall include the Superintendent, a principal, an assistant principal or other campus administrator, and any supervisory position within the District's human resources office. If an individual listed in items ~~2-42-4~~, above, believes that a recording shows a violation of District policy or campus procedures, the individual may allow access to the recording by appropriate legal and human resources personnel designated by the District for the purpose of determining whether a policy or procedure has been violated.

Any person who suspects that child abuse or neglect has occurred shall report this suspicion as required by law and District policy.  
[See FFG]

**Reporting an  
Incident**

A person alleging that an incident, as defined by law, has occurred in a classroom in which video surveillance is conducted shall file a report on the form provided by the District with the principal or designee as soon as possible after the person suspects the alleged incident. If possible, an incident report form shall be filed within ~~48~~<sup>24</sup> hours of the facts giving rise to the allegation. The principal or designee shall promptly view, or direct an authorized individual to view, the video surveillance footage to identify the relevant portion of the recording. No later than ~~ten~~<sup>10</sup> District business days after the report is filed, the principal or designee shall respond by notifying the person whether the alleged incident was recorded in the District's video surveillance footage and shall initiate other steps as required by law, District policy, or local procedures.

**Complaints**

Complaints related to video and audio recordings under this policy shall be filed in accordance with DGBA, FNG, or GF, as applicable. A complainant who is dissatisfied with the outcome of the District's complaint process may appeal in writing to the commissioner of education in accordance with Education Code 7.057 and 19 Administrative Code 103.1303. A parent, staff member, or District administrator may request an expedited review in accordance with 19 Administrative Code 103.1303.

<b>Relation to Essential Knowledge and Skills</b>	<p>The District shall establish instructional objectives that relate to the essential knowledge and skills for grade-level subjects or courses. These objectives shall address the skills needed for successful performance in the next grade or next course in a sequence of courses.</p> <p>Assignments, tests, projects, classroom activities, and other instructional activities shall be designed so that each student's performance indicates the level of mastery of the designated District objectives.</p>
<b>Guidelines for Grading</b>	<p>The Superintendent or designee shall ensure that each campus or instructional level develops guidelines for teachers to follow in determining grades for students. These guidelines shall ensure that grading reflects a student's relative mastery of an assignment and that a sufficient number of grades are taken to support the grade average assigned. Guidelines for grading shall be clearly communicated to students and parents.</p>
<b>Progress Reporting</b>	<p>The District shall permit a student who meets the criteria detailed in the grading guidelines a reasonable opportunity to redo an assignment or retake a test for which the student received a failing grade.</p>
Interim Reports	<p>The District shall issue grade reports/report cards every six weeks for students in elementary school and middle school and every nine weeks for students in high school on a form approved by the Superintendent or designee. Performance shall be measured in accordance with this policy and the standards established in EIE.</p>
Conferences	<p>Interim progress reports shall be issued for all students after the <del>third</del><sup>third</sup> week of each grading period. Supplemental progress reports may be issued at the teacher's discretion.</p> <p><del>In addition to conferences scheduled on the campus calendar, Each year, the District shall provide at least two opportunities for in-person conferences between each parent and the student's teacher. Additional</del> conferences may be requested by a teacher or parent as needed.</p>
<b>Academic Dishonesty</b>	<p>A student found to have engaged in academic dishonesty shall be subject to grade penalties on assignments or tests and disciplinary penalties in accordance with the Student Code of Conduct. Academic dishonesty includes cheating or copying the work of another student, plagiarism, <del>the use of artificial intelligence to complete an assignment in part or in whole unless approved by the classroom teacher [see CQD]</del>, and unauthorized communication between students during an examination. The determination that a student has engaged in academic dishonesty shall be based on the judgment of the classroom teacher or another supervising professional em-</p>

ployee, taking into consideration written materials, observation, ~~or~~ information from students, ~~or the use of an artificial intelligence detection tool selected by the District.~~

**Parent Portal**

The District shall establish a parent portal on the District's website through which parents may submit comments to campus administrators, District administrators, and the Board.

The Superintendent shall develop administrative regulations related to the portal, including placement on the District or campus websites and how campus or District administrators are to address comments received from parents through the portal.

**Release from School** A student shall not be released from school at times other than regular dismissal hours except with the permission of the principal of the school. The teacher shall determine that such permission has been granted before allowing the student to leave.

Exception for Released Time Course For purposes of this policy, a “released time course” shall have the same definition as provided in law. [A released time course is a course in religious instruction offered by a third-party entity off campus.](#)

A student shall be permitted to attend a released time course [for at least one but not more than five hours a week,](#) in accordance with the following requirements:

1. The parent or guardian has provided written consent for the student to attend the released time course;
2. The private entity offering the released time course maintains attendance records and will make those records available to the District;
3. The private entity, parent or guardian, or student assumes responsibility for transportation, including transportation for a student with a disability, to and from the location at which the released course is offered;
4. The private entity assumes liability for the student enrolled in the released time course while the student is under the private entity’s care; and
5. The student is responsible for any school work and assignments issued during the student’s absence from the District.

The District shall be prohibited from using District funds, excluding de minimis costs, to facilitate the student attending a released time course.

A private entity shall be prohibited from offering the released time course on District property unless the use is in accordance with policy GKD.

The District shall not interfere with a parent’s or guardian’s ability to request or access a released time course for the student.

No employee shall give any student prescription medication, non-prescription medication, herbal substances, anabolic steroids, or dietary supplements of any type, except as authorized by this or other District policy.

**Medication Provided by Parent**

The Superintendent shall designate the employees who are authorized to administer medication that has been provided by a student's parent. An authorized employee is permitted to administer the following medication in accordance with administrative regulations:

1. Prescription medication in accordance with legal requirements.
2. Nonprescription medication, ~~upon a parent's written request, when properly labeled and in the original container~~ in accordance with legal requirements.
3. Herbal substances or dietary supplements provided by the parent and only if required by the individualized education program or Section 504 plan for a student with disabilities.

**Medication Provided by District**

Athletic Program

Except as required by law and provided by this policy, the District shall not purchase medication to administer to a student. The District shall purchase nonprescription medication that may be used to prevent or treat illness or injury in the District's athletic program. Only a licensed athletic trainer or a physician licensed to practice medicine in the state of Texas may administer this medication and may do so only if:

1. The District has prior written consent for medication to be administered [see Medical Treatment, below]; and
2. The administration of a medication by an athletic trainer is in accordance with a standing order or procedures approved by a physician licensed to practice medicine in the state of Texas.

Opioid Antagonist

This provision shall be applicable to every campus.

On Campus

The District authorizes school personnel who have been adequately trained to administer an opioid antagonist in accordance with law and this policy. Administration of an opioid antagonist shall only be permitted when an authorized and trained individual reasonably believes a person is experiencing an opioid-related overdose.

Each applicable campus shall have at least one individual who is authorized and trained to administer an opioid antagonist present during regular school hours.

*Maintenance,  
Availability,  
Training, and  
Reporting*

Each applicable campus shall have at least two unused, unexpired opioid antagonist doses available.

All opioid antagonists shall be stored in a secure location and shall be easily accessible by individuals who are authorized and trained to administer an opioid antagonist.

The Superintendent shall develop administrative regulations addressing acquisition, maintenance, expiration, and disposal of opioid antagonists in the District, as well as reporting, employee training, and emergency notification requirements.

**Psychotropics**

Except as permitted by law, an employee shall not:

1. Recommend to a student or a parent that the student use a psychotropic drug;
2. Suggest a particular diagnosis; or
3. Exclude the student from a class or a school-related activity because of the parent's refusal to consent to psychiatric evaluation or examination or treatment of the student.

**Medical Treatment**

A student's parent, legal guardian, or other person having lawful control shall annually complete and sign a form that provides emergency information and addresses authorization regarding medical treatment. A student who has reached age 18 shall be permitted to complete this form.

The District shall seek appropriate emergency care for a student as required or deemed necessary.

<b>Threat Assessment and Safe and Supportive Team</b>	In compliance with law, the Superintendent shall ensure that a multidisciplinary threat assessment and safe and supportive team is established to serve each campus. The Superintendent shall appoint team members. The team shall be responsible for developing and implementing a safe and supportive school program at each campus served by the team and shall support the District in implementing its multi-hazard emergency operations plan.
Training	Each team shall complete training provided by an approved provider on evidence-based threat assessment programs.
Student Reports	Each campus shall establish a clear procedure for a student to report concerning behavior exhibited by another student for assessment by the team or other appropriate District employee.
Employee Confidentiality	A District employee who reports a potential threat may elect for the employee's identity to remain confidential and not be subject to disclosure under the state's public information law. The employee's identity shall only be revealed when necessary for the team, the District, or law enforcement to investigate the reported threat.
Notification to Teaching Staff of Threat	The District shall maintain a record of the identity of a District employee who elects for the employee's identity to remain confidential.
	<b>As soon as safe and practicable after an administrator or team receives information regarding a threat against a campus, including a threat made through social media, the appropriate administrator or the team shall immediately provide to each member of the teaching staff, including teacher aides, who may be directly affected by the threat a statement containing the following information:</b>
	<ol style="list-style-type: none"><li>1. The existence of the threat;</li><li>2. The nature of the threat; and</li><li>3. Any other pertinent detail to ensure student and staff safety.</li></ol>
Imminent Threats or Emergencies	The Superintendent shall develop administrative regulations to ensure that the required notice is provided to the teaching staff in accordance with law. The administrative regulations may also address notification of other appropriate employees on the affected campus.
Threat Assessment Process	A member of the team or any District employee may act immediately to prevent an imminent threat or respond to an emergency, including contacting law enforcement directly.
	The District shall develop procedures as recommended by the Texas School Safety Center. In accordance with those procedures,

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

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

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

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

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

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

As appropriate, the team may refer a student:

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

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

Guidance to School Community      The team shall provide guidance to students and District employees on recognizing harmful, threatening, or violent behavior that may pose a threat to another person, the campus, or the community and methods to report such behavior to the team, including through anonymous reporting.

Reports      The team shall provide reports to the Texas Education Agency as required by law.

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

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

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

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

**Notice of Suspected  
Criminal Offense**

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

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

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

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

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

**Training**

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

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

**Reporting Child  
Abuse and Neglect**

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

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

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

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

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

child and the person determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or an elderly or disabled person.

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

**Oral Reports**

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

**Restrictions on Reporting**

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

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

**Making a Report**

Reports may be made to any of the following:

1. A ~~state or local~~ law enforcement agency, [as defined in law](#);
2. The Child Protective Services (CPS) division of DFPS at 800-252-5400 or the [Texas Abuse Hotline website](#)<sup>1</sup>;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility. As defined by law, a person responsible for the care, custody, or welfare of a child includes school personnel and volunteers and day-care workers. [See FFG(LEGAL)]

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

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

**Confidentiality**

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

**Immunity**

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

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

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

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

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

**Responsibilities  
Regarding  
Investigations**

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

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

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

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

**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, ~~disability, or other protected characteristics~~ [see FFH] or **disability** shall be submitted in accordance with **the FFH-series**.
2. Complaints concerning dating violence shall be submitted in accordance with ~~the FFH-series~~.
3. Complaints concerning retaliation related to discrimination and harassment shall be submitted in accordance with ~~the FFH-series~~.
4. Complaints concerning bullying or retaliation related to bullying shall be submitted in accordance with FFI.
5. Complaints concerning failure to award credit or a final grade on the basis of attendance shall be submitted in accordance with FEC.
6. Complaints concerning expulsion shall be submitted in accordance with FOD and the Student Code of Conduct.
7. Complaints concerning any final decisions of the gifted and talented selection committee regarding selection for or exit from the gifted program shall be submitted in accordance with EHBB.
8. Complaints within the scope of Section 504, including complaints concerning identification, evaluation, or educational placement of a student with a disability, shall be submitted in accordance with FB and the procedural safeguards handbook.
9. Complaints within the scope of the Individuals with Disabilities Education Act, including complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability, shall be submitted in accordance with EHBAE, FOF, and the procedural safeguards handbook provided to parents of all students referred to special education.
10. Complaints concerning instructional resources shall be submitted in accordance with the EF series.

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

~~In accordance with FNG(LEGAL), the Board is not required to address~~ For a complaint concerning a student's participation in an extracurricular activity that does not involve a violation of a right guaranteed by Education Code Chapter 26. ~~Complaints regarding extracurricular activities shall be addressed by the District's extracurricular activity committee established by the Superintendent. The decision of the extracurricular activity committee shall be final~~, of a Board policy, or of a provision of Education Code Title II, the Level Two decision is final and may not be appealed to the Board.

#### Notice to Students and Parents

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

#### Guiding Principles Informal Process

The Board encourages students and parents to discuss their concerns with the appropriate teacher, ~~extracurricular sponsor~~, principal, or other ~~appropriate~~ campus or District administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

**Informal resolution shall be encouraged but shall not extend any deadlines in this policy, except 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 during the process, the student or parent shall have the later of:

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

[See Formal Process, below]

No Prior Informal Process

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

**Deadline Extensions**

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

**Formal Process**

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

~~Even after initiating the formal complaint process, students and parents are encouraged to 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 Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

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

If the subject matter of the complaint requires a Board decision, is a complaint about a Board member, or is a complaint about the Superintendent, the complaint shall be initiated at the Board level. A

preliminary hearing to develop a record or recommendation for the Board may be conducted by an appropriate administrator.

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

If 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.

**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 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 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 **business** days after the deadline.

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

~~All complaints shall be signed by the student or parent or representative; however, a representative shall submit written authorization, signed by the student or parent, which specifically allows the representative to act on behalf of the student or parent during the grievance process.~~

**Scheduling Conferences**

~~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 hold the conference and issue a decision in the student's or parent's absence.~~

**Response**

~~At Levels One and Two, "response" shall mean a written communication to the student or parent from the appropriate administrator. Responses may be hand-delivered, 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 record. Mailed responses shall be timely if they are postmarked by U.S. Mail on or before the deadline.~~

**Days**

~~"Days" shall mean District business days as determined by the academic calendar, 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." Scheduling Hearings~~

**The District shall make reasonable attempts to schedule hearings at a mutually agreeable time. If a complainant fails to appear at a scheduled hearing, the District may hold the hearing and issue a decision in the complainant's absence.**

**A "decision" shall mean a written communication to the complainant from the appropriate administrator that provides an explanation of the basis of the decision, an indication of each document that supports the decision, and any relief or redress to be provided. A decision shall be issued on the merits of the concern raised in the complaint notwithstanding any procedural errors or the type of relief or redress requested.**

**The decision shall also include information regarding the filing of an appeal in accordance with this policy. After a hearing at Level Three, the decision shall include information on submitting an appeal to the commissioner.**

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

**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. If a student or parent designates more than one representative, only one representative shall be allowed to be present during any level of the grievance process. Witnesses shall not be allowed during any~~

~~level of the grievance process; however, witness statements may be tendered at a grievance hearing. The only parties that shall be allowed during the student's or parent's presentation during any level of the grievance process shall be the student, parent/legal guardian, and one representative~~  
~~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.

~~Representatives shall conduct themselves with common courtesy and respect for the rights of others. If at any level a student, parent/legal guardian, or representative is deemed to be unruly, disrespectful, or disruptive to the hearing process, the grievance hearing shall be concluded, and the student and/or parent and representative shall be issued a decision based on the written record and oral arguments set forth by the student or parent and representative, as applicable.~~

~~The District shall have the authority to remove a disruptive representative from the premises. Additionally, after an examination of the facts, if the Superintendent deems the representative has been disruptive in a repetitive manner, he or she may issue a letter of warning to the complainant's representative. If the representative continues to display the same disruptive conduct, the Superintendent may deny the representative further opportunities to represent future complaints.~~

#### ~~Consolidating Complaints~~

~~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. If a student or parent submits a grievance that is a duplicate of a prior grievance, the department of human resources may dismiss the complaint without the necessity of a hearing.~~

~~When two or more complaints are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, the District may consolidate the complaints.~~

#### ~~Untimely Filings~~

~~All time limits shall be strictly followed unless modified by mutual written consent.~~

~~If a complaint form or appeal notice is not timely filed, the complaint may be dismissed. Costs incurred by the student or parent, at any point during the complaint and appeal process, shall be the responsibility of the student or parent. 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.~~  
Consolidating Complaints

To promote efficiency in addressing complaints, the appropriate administrator shall determine if separate or serial complaints arising from an event or series of related events shall be consolidated.

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

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~~ included with the complaint form. ~~Once submitted, the grievance shall be limited to the written remedies addressed in the initial complaint. No new remedies shall be introduced during the grievance proceeding that have not been specifically mentioned or produced in the initial complaint form. Further, the only remedies ruled upon shall be those listed on the initial complaint; remedies requested in an oral manner at any hearing level shall not be considered. Any new remedies shall be addressed in a subsequent complaint form and under the rules and timelines set forth in this policy.~~

~~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 refiled is within the designated time for filing.~~

~~Complaint forms must be filed:~~

- ~~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~~
- ~~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.~~

~~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.~~

~~If a complaint is found to be too vague, general, or indefinite at any level of this policy, the timelines at the complaint level shall be held~~

**Statement of Particulars**

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~~in abeyance, during which time the complainant shall be required to prepare a written statement of particulars setting out with specificity the act(s) and/or omission(s) complained of in order to afford the respondent with fair notice and an opportunity to adequately respond in writing to each charge or offer a remedy. If the complainant or his or her representative does not adequately address the vague, general, or indefinite complaint within three days of written notification, the complaint shall be dismissed.~~

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

**Audio / Video  
Recording**

~~As provided by law, a student or parent shall be permitted to make an audio recording of a conference or hearing under this policy in which the substance of the student or parent complaint is discussed. The student or parent shall notify all attendees present that an audio recording is taking place. The student or parent, representative, if designated, and the hearing officer shall be prohibited from video recording the hearing. If the student or parent or representative insist on video recording the hearing, the hearing officer may terminate the hearing at his or her discretion.~~

**Mutual Agreement of  
the Parties**

~~The parties involved may mutually consent to modify the procedure as necessary to accomplish the goal of resolving the dispute in the most efficient and expeditious manner possible.~~

**Withdrawal**

~~A student or parent may withdraw his or her complaint at any time. Once withdrawn, a complaint shall not be reconsidered. If the student or parent has designated a representative, the representative need not consent to the complaint being withdrawn.~~

~~A dispute shall be considered withdrawn if a student or parent fails to pursue the complaint or otherwise is deemed to be unreasonably protracting the process.~~

**Designated Parties**

~~For purposes of hearing a complaint at both the informal and formal complaint conference, the designated party shall be assigned by the Superintendent.~~

**Mediation  
Conference**

~~At the time the student or parent files his or her complaint or grievance, the student or parent shall have an informal mediation conference with an administrator prior to entering the formal complaint process. The administrator shall schedule and conduct an informal mediation conference within ten days of receipt of the complaint or at a time mutually agreeable to the parties. At the informal conference, the following shall be discussed:~~

3. The concern;
4. The justification or rationale for the concern;
5. The harm sustained or being sustained by the student or parent; and
6. The remedy sought for resolution.

The student or parent and the administrator shall endeavor to reach an agreement resolution of the concern. If resolution is reached, the complaint is resolved. If resolution is not reached, the student or parent may invoke the formal complaint process and proceed to Level One in accordance with this policy.

**Formal Process**

The formal complaint process shall consist of three levels. Level One and Level Two shall be closed to the public and the student's or parent's designated representative shall be the only other person in attendance. The only exception is that a student may have an adult present with him or her at a hearing other than the designated representative. If at any point during the grievance process the student or parent and representative, (if designated), are to be present in front of the party being grieved against, the hearing officer shall have the discretion to separate the parties and allow separate presentations. A Level Three presentation to the Board shall be held within a properly posted Board meeting. The Board shall determine whether the hearing will be held in open or closed session, except that the hearing shall be held in closed session upon the request of the employee who is the subject of the complaint, or as authorized by law. At the discretion of the hearing officer, the student or parent shall be afforded a reasonable amount of time at each level of the grievance process; the hearing officer shall have the discretion to provide a reasonable amount of time for a hearing from administration if deemed necessary. No party shall be allowed more time than the other in a grievance hearing.

**Written Submissions**

Any written objections, motions, briefs, or exhibits to be considered as part of the grievant's complaint must be submitted by the grievant or grievant's representative to the Level One or Level Two hearing officer at least five days prior to the Level One or Level Two presentation, respectively. At Level Three, the grievant or grievant's representative must submit said documents to the Superintendent or designee at least five days prior to the Level Three presentation. The Superintendent or designee shall submit the documents to the Board President prior to the Level Three presentation.

Written objections, motions, briefs, or exhibits submitted by the grievant or grievant's representative during any Level One, Level

~~Two, or Level Three presentation shall not be heard by the hearing officer or Board, as applicable, but shall become a part of the presentation record and shall be submitted during the grievant's allotted presentation time as determined by the hearing officer or Board's presiding officer.~~

**Oral Argument**

~~At any level of the formal grievance process, any oral motions or objections raised by the grievant or grievant's representative shall be considered during the grievant's allotted presentation time as determined by the hearing officer or the Board's presiding officer, as applicable.~~

**Level One**

~~If resolution of the complaint is not reached at the mediation complaint/grievance level, the student or parent may enter the Level One complaint process and request a formal meeting with the lowest level administrator who has the authority to remedy the alleged problem within seven days of the mediation conference, unless the time has been extended by written agreement. The Superintendent shall appoint another administrator to serve as the Level One hearing officer when the complaint is against the administrator who would normally hear the Level One complaint.~~

~~A Level One conference shall be conducted within ten days of notice by the student or parent requesting to enter the Level One complaint process when resolution was not reached through the mediation process. The administrator shall notify the student or parent of the date, time, and place of the conference at which time the complaint shall be reviewed with the student or parent. The administrator may set reasonable time limits for the conference.~~

~~Absent extenuating circumstances, the administrator shall provide the student or parent a written response within 14 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator believes will help resolve the complaint. The only remedies ruled upon shall be those listed on the initial complaint; remedies requested in an oral manner at any hearing level shall not be considered.~~

~~The Level One conference shall not provide for cross-examination of any witnesses, nor shall this conference in any way resemble an evidentiary hearing. If necessary, each side shall simply make presentations to the Level One administrator within the allotted time period. The grievant may not appeal any part of a complaint of which said remedy has been granted at a prior level, including mediation. If the complainant does not have copies of these documents, copies may be presented at the Level One hearing. After~~

	the Level One hearing, the complainant may supplement the record with additional documents or include additional claims.
Record	A record of each complaint hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the complainant, documents determined relevant by District personnel, and the decision.
Remand	A complaint or appeal form that is incomplete in any material aspect shall be refiled, if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.
	If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.
Assignment of Hearing Officer	When a District employee is the subject of a complaint, the hearing shall be conducted by an administrator who is in a supervisory or higher organizational role. The District employee who is the subject of the complaint shall recuse themselves from reviewing the complaint at any level in the process.
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.
Complaint Levels	At Level One, the appropriate hearing officer shall hold a hearing with the complainant within 10 calendar days after receipt of the written complaint. The hearing officer may set reasonable time limits for the hearing.
	The hearing officer shall provide the complainant a decision within 20 calendar days following the hearing. In reaching a decision, the hearing officer may consider information provided with the complaint form and any other relevant documents or information the hearing officer believes will help resolve the complaint.
Level Two	If the <del>student or parent</del> complainant did not receive the relief requested at Level One or if the time for a <del>response</del> decision has expired, the <del>student or parent</del> complainant may request a <del>conference with the Superintendent or designee</del> hearing at Level Two to appeal the Level One decision.
	The appeal notice must be filed in writing, on a form provided by the District, within <del>seven</del> 20 calendar days of the date of the <del>written</del> Level One <del>response</del> decision or, if no <del>response was received</del> , <del>within seven</del> decision has been communicated to the complainant, <del>within 20 calendar days of the Level One response deadline</del> . The
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~~student or parent may not appeal any part of a complaint of which said remedy has been granted at a prior level.~~ decision deadline.

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

The Level One record shall include:

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

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

~~The Superintendent or designee~~ hearing officer shall provide the student or parent a written response within 14 days following the conference. ~~The written response shall set forth the basis of the decision~~ 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.

~~Audio recordings~~ 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~~ With the student or parent exception of complaints regarding extracurricular activities, described above, if the complainant did not receive the relief requested at Level Two or if the time for a re-

~~response~~decision has expired, the ~~student or parent~~complainant may appeal the decision to the Board.

The appeal notice must be filed in writing, on a form provided by the District, within ~~seven~~20 calendar days of the date of the ~~written~~ Level Two ~~response~~decision or, if no ~~response was received~~, ~~within seven~~decision has been communicated to the complainant, within 20 calendar days of the Level Two ~~response~~decision deadline. ~~The student or parent may not appeal any part of a complaint of which said remedy has been granted at a prior level~~

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

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

The Superintendent ~~or designee~~ shall inform the ~~student or parent~~ complainant whether the Board or a Board committee will hear the appeal and of the date, time, and place of the ~~Board~~ meeting at which the complaint will be on the agenda for presentation to the Board. ~~No member of the~~ ~~or~~ Board shall conduct any ~~ex parte~~ communications regarding the case. In regards to the pending grievance, the student or parent and the representative shall not communicate with any Board members. Board members shall not take part in any deliberations or decision making without having first heard all the evidence prior to the hearing 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 ~~or designee~~ shall provide the Board the record of the Level Two appeal.

~~The Level Two record shall be provided to the grievant and the Board no later than three days before the hearing, and shall include:~~ The complainant may request a copy of the Level Two record.

The Level Two record shall include:

1. The Level One record;
2. The notice of appeal from Level One to Level Two;

3. ~~The written response~~ Any other documents submitted by the complainant at Level Two.
- 3.4. The decision issued at Level Two and any attachments; ~~and~~.
- 4.5. All other documents relied upon by the administration in reaching the Level Two decision; ~~the District reserves the right to redact confidential information, as required by law.~~

~~The appeal shall be limited to the remedies, issues, and documents considered at Level Two. The Board shall consider only those issues, remedies, and documents presented at the preceding levels and identified in the appeal notice, as well as the separate record of the Level Three presentation.~~ complainant may request that the complaint be heard in open or closed meeting. The District shall honor that request unless the Texas Open Meetings Act or other applicable law requires otherwise. [See BE]

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

~~The Board~~ and provide rebuttal and an opportunity for questioning by Board members.

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

~~The Board 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 response by the Board upholds the administrative decision at Level Two.~~

~~The District shall determine whether the complaint will be discussed in an open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]~~ or Board committee shall then consider the complaint. It shall make a deci-

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

**Student Code of  
Conduct**

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

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

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

1. Posted and prominently displayed at each campus or made available for review in the principal's office, as required by law; and
2. Made available on the District's website, along with other District publications such as the student handbook, Bus Rider's Guide, and Technology Use Guide, and/or as a hard copy to students, parents, teachers, administrators, and others on request.

**Revisions**

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

**Extracurricular  
Standards of  
Behavior**

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

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

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

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

**"Parent" Defined**

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

**General Discipline Guidelines**

The schools shall strive to provide for the basic welfare, educational opportunity, and safety of all students. Student conduct in the schools shall be supervised in an attempt to provide for reasonable order and courtesy and the recognition of student rights and responsibilities.

School authorities shall give clear guidance to staff members concerning discipline procedures, teacher authority, and limitations as to personal actions.

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

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

**Corporal Punishment**

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

**Physical Restraint**

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

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

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

**Video and Audio Monitoring**

**Use of Recordings**

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

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

**Access to Recordings**

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

**Complaints**

**Other Complaint  
Processes**

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

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~~submitted in accordance with the EF series.
2. Complaints concerning a commissioned peace officer who is an employee of the District shall be ~~filed~~submitted in accordance with the CKE series.

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 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.

**Filing Deadlines**

If a member of the public has engaged in the informal process in an attempt to resolve the complaint with the District and has not reached a resolution during the process, the individual must file a complaint within 15 business days of the date the individual first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance.

**Deadline Extensions**

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

**Formal Process**

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

~~Even after initiating the formal complaint process, individuals are encouraged to seek informal resolution of their concerns. An individual whose concerns are resolved may withdraw a formal complaint at any time.~~

~~The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any~~

**level.** The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or "mini-trial" at any level.

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

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

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

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

**Option to Continue  
Informal Process**

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

**Notice of Complaint**

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

**Freedom from  
Retaliation**

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

**General Provisions  
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 postmarked by U.S. Mail on or before the deadline and received by the appropriate administrator or designated representative no more than three **business** days after the deadline.

~~Scheduling  
Conferences~~  
**Hearings**

The District shall make reasonable attempts to schedule ~~conferences~~  
**hearings** at a mutually agreeable time. If the ~~individual~~  
**complainant** fails to appear at a scheduled ~~conference~~  
**hearing**, the District may hold the ~~conference~~  
**hearing** and issue a decision in the ~~individual's~~  
**complainant's** absence.

~~Response  
At Levels One and  
Two,  
"response"~~  
**Decision**

A "decision" shall mean a written communication to the ~~individual~~  
**complainant** from the appropriate administrator. ~~Responses may  
be hand-delivered, sent by electronic communication to the individ-  
ual's email address of record, or sent by U.S. Mail to the individ-  
ual's mailing address of record. Mailed responses~~ that provides an  
explanation of the basis of the decision, an indication of each docu-  
ment that supports the decision, and any relief or redress to be  
provided. A decision shall be issued on the merits of the concern  
raised in the complaint notwithstanding any procedural errors or  
the type of relief or redress requested.

The decision shall also include information regarding the filing of  
an appeal in accordance with this policy. After a hearing at Level  
Three, the decision shall include information on submitting an ap-  
peal to the commissioner.

A decision may be hand-delivered, sent by electronic communica-  
tion to the complainant's email address of record, or sent by U.S.  
Mail to the complainant's mailing address of record. Mailed deci-  
sions shall be timely if they are postmarked by U.S. Mail on or be-  
fore 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 ~~an individual~~  
**a complainant** to represent the ~~individual~~  
**complainant** in the complaint process.

The ~~individual~~  
**complainant** may designate a representative through  
written notice to the District at any level of this process. ~~If the indi-  
vidual~~  
**The representative may participate in person or by telephone**  
**conference call.** If the complainant designates a representative  
with fewer than three **business** days' notice to the District before a  
scheduled ~~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	<p><del>Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not file</del> To promote efficiency in addressing complaints, the appropriate administrator shall determine if separate or serial complaints arising from <del>any</del> an event or series of events that have been or could have been addressed in a previous complaint.</p>
Untimely Filings	<p><del>All time limits shall be strictly followed unless modified by mutual written consent.</del></p> <p><del>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 related events shall be consolidated.</del></p>
Costs Incurred	<p>Each party shall pay its own costs incurred in the course of the complaint.</p>
Complaint and Appeal Forms	<p>Complaints and appeals under this policy shall be submitted <del>in writing</del> on a form provided by the District.</p> <p>Copies of any documents that support the complaint should be <del>attached to</del> included with the complaint form. If the <del>individual</del> complainant does not have copies of these documents, <del>they</del> copies may be presented at the Level One <del>conference</del> hearing. After the Level One <del>conference</del>, <del>no new documents may be submitted by the individual unless the individual did not know the documents existed before the Level One conference</del> hearing, the complainant may supplement the record with additional documents or include additional claims.</p>
A Record	<p>A record of each complaint <del>or appeal form that is incomplete in any material aspect may be dismissed but may be refiled with all the required information if the refiled is within the designated time for filing</del> hearing shall be created and retained in accordance with this policy. The record shall include documents submitted by the complainant, documents determined relevant by District personnel, and the decision.</p>
Statement of Particulars	<p>A complaint is found to be too vague, general, or indefinite at any level of this policy, the time lines at the complaint level shall be held in abeyance, during which time the complainant shall be required to prepare a written statement of particulars setting out with specificity the act(s) and/or omission(s) complained of in order to afford the respondent with fair notice and an opportunity to adequately respond in writing to each charge or offer a remedy or appeal form that is incomplete in any material aspect shall be refiled,</p>
If a Remand	

if at Level One, and remanded at all other levels in order to develop an adequate record of the complaint.

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

**Written Submissions**

~~Any written objections, motions, briefs, or exhibits to be considered as part of the grievant's complaint must be submitted by the grievant or grievant's representative to the Level One or Level Two hearing officer at least five days prior to the Level One or Level Two presentation, respectively. At Level Three, the grievant or grievant's representative must submit said documents to the Superintendent or designee at least five days prior to the Level Three presentation. The Superintendent or designee shall submit the documents to the Board President prior to the Level Three presentation.~~

~~Written objections, motions, briefs, or exhibits submitted by the grievant or grievant's representative during any Level One, Level Two, or Level Three presentation shall not be heard by the hearing officer or Board, as applicable, but shall become a part of the presentation record and shall be submitted during the grievant's allotted presentation time as determined by the hearing officer or Board's presiding officer.~~

**Oral Argument**

~~At any level of the formal grievance process, any oral motions or objections raised by the grievant or grievant's representative shall be considered during the grievant's allotted presentation time as determined by the hearing officer or the Board's presiding officer, as applicable.~~

**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 circumstances, the administrator shall provide the individual a written response within 14 days following the conference. The written response shall set forth the basis of the decision. In reaching a decision, the administrator may consider information provided at the Level One conference and any other relevant documents or information the administrator~~  
~~If an adequate record has not been developed, the appropriate administrator may remand the complaint to a lower level. The Board or Board committee may remand a complaint to a lower level if at the Board level of review an adequate record has not been developed.~~

**Assignment of Hearing Officer**

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

**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.

**Complaint Levels**

**Level One**

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

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

**Level Two**

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

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

within 20 calendar days of the Level One ~~response~~decision deadline.

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

The Level One record shall include:

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

The ~~Superintendent or designee shall schedule a conference within ten~~ ~~hearing officer shall hold a hearing within 10 calendar days after the appeal notice is filed. The conference shall be limited to the issues and documents considered at Level One. At the conference, the individual may provide information concerning any documents or information relied upon by the administration for the Level One decision. The Superintendent or designee may set reasonable time limits for the conference~~ ~~hearing officer may set reasonable time limits for the hearing.~~

The ~~Superintendent or designee~~ ~~hearing officer shall provide the individual a written response within 14~~ ~~complainant a decision within 20 calendar days following the conference. The written response shall set forth the basis of the decision~~ ~~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 ~~conference~~ ~~hearings~~, if any, shall be maintained with the Level One and Level Two records.

Level Three

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

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

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

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

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

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

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

The Level Two record shall include:

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

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

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

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

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

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

~~The Board or Board committee shall then consider the complaint. It may give notice of its shall make a decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the complaint by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the administrative decision at Level Two no later than 30 calendar days after the date of the Board or Board committee meeting at which the complaint was presented. The complainant shall be provided a decision in accordance with this policy and state law.~~

**Note:** ~~This local policy has been revised in accordance with the District's innovation plan. [See AF(LOCAL)]~~

**Access to District Property**

Authorized District officials, including school resource officers and District police officers if applicable, may refuse to allow a person access to property under the District's control in accordance with law.

District officials may request assistance from law enforcement in an emergency or when a person is engaging in behavior rising to the level of criminal conduct.

**Audio/Video Recordings**

On District property, during regular school or business hours, the District prohibits unauthorized audio or visual recordings or transmission of audio or visual recordings of students or District employees. This provision shall not apply to photography, filming, or video recordings taken at a school-related activity that is open to the public.

Guidelines for the use of recording devices during the school day by students and District employees can be found in the Student Code of Conduct, student handbook, and employee handbook.

**Ejection or Exclusion from District Property under Education Code 37.105**

In accordance with ~~the District's innovation plan, the District is exempt from the state law regarding refusal of entry to or ejection from District property. A District official shall not be required to~~ Education Code 37.105, a District official shall provide a person refused entry to or ejected from property under the District's control ~~prior verbal warning or~~ written information explaining the right to appeal such refusal of entry or ejection ~~under the District's grievance process.~~

A person ~~may appeal refusal of entry to or ejection from District property in accordance with the District's grievance process~~ appealing under the District's grievance process shall be permitted to address the Board in person within 90 calendar days of filing the initial complaint, unless the complaint is resolved before the Board considers it. [See FNG and GF]

**Off-Campus Activities**

Employees shall be designated to ensure appropriate conduct of participants and others attending a school-related activity at non-District or out-of-District facilities. Those so designated shall coordinate their efforts with persons in charge of the facilities.

**Prohibitions**

Tobacco and  
E-Cigarettes

The District prohibits smoking and the use of tobacco products, e-cigarettes or other electronic vaporizing devices on District property, in District vehicles, or at school-related activities.

**Weapons** The District prohibits the unlawful use, possession, or display of any firearm, location-restricted knife, club, or prohibited weapon, as defined at FNCG, on all District property at all times.

*Exceptions* No violation of this policy occurs when:

1. ~~A Texas~~ An individual who holds a handgun license ~~holder~~ in accordance with state law stores a handgun or other firearm in a locked vehicle in a parking lot, parking garage, or other parking area provided by the District, as long as the handgun or other firearm is not in plain view; or
2. The use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See FOD]