

PUBLIC COMPLAINTS AND HEARINGS

I. BACKGROUND and/or LEGAL REFERENCE

TASB Policy Manual, GB, Public Complaints and Hearings; BDB, Board Meetings Public Participation

II. POLICY

A. Procedures

Board members understand that it is reasonable and expected that persons from time to time will have complaints. In these instances, the following procedures shall be used:

1. Complaints shall be initially discussed with the appropriate administrator.
2. If the issue has not been resolved, the person shall refer the complaint to the next higher administrative level.
3. A person has the right to appeal to the Board after exhausting all administrative levels including the College President or designee.
4. Appeals to the Board shall be submitted to the College President or designee in writing and shall include:
 - a. An outline of the problem and circumstances related thereto.
 - b. A proposal or recommendation offered as a possible solution.
 - c. A review of prior discussions with administrators and of their decisions.
5. If the outcome of the conference with the College President or designee is not to the person's satisfaction, the person may submit a written request to place the matter on the agenda.
6. The College President or designee shall inform the person of the date, time, and place of the meeting.
7. The Board President shall establish a reasonable time limit for complaint presentations. The Board's consideration shall be based on the complaint records developed at the administrative reviews and no new evidence shall be received by the Board. Each side shall be entitled to make oral arguments based on the complaint records, within the time restrictions established by the Board.
8. The Board shall listen to the person's complaint. ~~There is no requirement that the Board negotiate or even, but is not required to respond to complaints.~~ However, the Board must stop, look, and listen and must consider the petition, address, or remonstrance.

B. Executive Sessions

1. If the complaint involves a matter that may properly be heard in executive session, the College President shall make any necessary arrangements. *Gov't Code 551.071-551.090.* In cases involving the appointment, employment reassignment, discipline, or dismissal of an employee or to hear complaints or charges involving an employee, the employee shall be notified and ~~given the option of having~~ may request that the meeting be held in public. *Gov't Code 551.074.*

2. If a group requests to be heard on a matter that may properly be discussed in executive session, the Board may exclude other group members while hearing each individual.

C. Exceptions

Complaints for which other resolution procedures are provided shall be directed through those channels. (See Reg 591: Student Grievances; Reg 663: Appeal of Academic Decisions; Reg 664: Appeal of Student Disciplinary Action; Reg 877: Employee Grievances)

(POLICY APPROVAL: 10-5-87, Board of Trustees, amended 1-21-14)

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