

## **CHARTER SCHOOL BOARD POLICY MANUAL**

### **POLICY GROUP 3 – STUDENTS**

#### **STUDENT RIGHTS AND RESPONSIBILITIES: PARENT AND STUDENT COMPLAINTS AND GRIEVANCES**

PG-3.30

### **Guiding Principles**

#### **Informal Process**

The Board encourages students and parents to discuss their concerns and complaints through informal conferences with the appropriate teacher, principal, or other campus administrator. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

A parent or student may request an informal conference with the Campus Principal within five school business days of the time the parent or student knew or should have known of the event(s) giving rise to the complaint. If the parent or student is not satisfied with the results of the informal conference, he or she may submit a written grievance form to the Campus Principal.

#### **Formal Process**

If an informal conference regarding a complaint fails to reach the outcome requested by the student or parent, the 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.

#### **Freedom from Retaliation**

Neither the Board nor any Harmony Public Schools (Harmony) employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

#### **Notice to Parents and Students**

The Superintendent of Schools or designee may develop more detailed grievance procedures. The Superintendent of Schools or designee shall ensure that all students and parents are informed of the Harmony grievance procedures.

### **Complaints**

In this policy, the terms “complaint” and “grievance” shall have the same meaning. This policy shall apply to all student and parent complaints, except as provided below.

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#### **Exceptions**

This policy shall not apply to:

1. Complaints concerning discrimination or harassment based on race, color, gender, national origin, disability, or religion. See PG-3.41 (procedures for reporting prohibited conduct).
2. Complaints concerning retaliation related to discrimination and harassment. See PG-3.41 (procedures for reporting prohibited conduct).
3. Complaints concerning bullying or retaliation related to bullying. See “Freedom from Bullying and Cyber-Bullying,” Student Handbook.
4. Matters addressed in court through attendance enforcement. See PG-3.5 (Attendance Enforcement)
5. Complaints concerning loss of credit on the basis of attendance. See PG-3.6 (Attendance for Credit).
6. Complaints concerning expulsion. See PG-3.25 (Student Discipline: Expulsion).
7. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504. See PG-3.11 (Equal Educational Opportunity) and the procedural safeguards handbook.
8. Complaints concerning identification, evaluation, educational placement, or discipline of a student with a disability within the scope of the Individuals with Disabilities Education Act. See PG-3.26 (Student Discipline: Students with Disabilities) and the procedural safeguards handbook.
9. Complaints regarding the Free and Reduced Price Meal Program. See this Policy.

#### **General Provisions**

##### **Filing**

Harmony administrators addressing parent and student complaints are expected to resolve such complaints at the lowest possible level.

Student and/or parent complaints shall be submitted in writing on a form provided by Harmony. Copies of documents that support the complaint shall be attached to the complaint form or presented at the Level One conference. After the Level One conference, no new documents may be submitted unless their existence was unknown to the complainant before the Level One conference. A complaint that is incomplete may be dismissed.

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For purposes of this policy, “days” shall mean school business days and announcement of a decision in the student’s or parent’s presence shall constitute communication of the decision. If an administrator determines that additional time is needed to complete a thorough investigation of the complaint and/or issue a decision, the administrator shall inform the complainant in writing of the necessity to extend the time for investigating or responding and a specific date by when the decision will be issued.

#### **Level One**

The student or parent shall request in writing a conference with the Campus Principal or designee within the later of (1) five days from the time the event(s) causing the complaint were or should have been known, or (2) within five days after the date a letter is mailed to the parent or student after completion of the informal grievance process notifying the parent or student of the formal complaint process.

The Campus Principal or designee shall serve as the Level One Grievance Officer, and will schedule a conference with the parent or student within ten days of receipt of the written complaint to consider the grievance. The Level One Grievance Officer will provide a written response to the complaint within ten days of the meeting.

**Note:** In accordance with PG-3.11 (Equal Educational Opportunity), Level One complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504 shall be filed within fifteen school days.

#### **Level Two**

If the student or parent is not satisfied with the Level One decision, or if no decision is provided within the time allotted, the student or parent may request in writing a conference with the local Cluster Superintendent or designee within ten days of the Level One decision or the response deadline if no decision is made. The appeal must be specific, reference the law or policy alleged to have been violated or the dissatisfaction raised by the student or parent and, where possible, suggest a resolution. Additionally, the student or parent shall submit any evidence supporting the complaint, and the date and results of the conference with the Level One Grievance Officer.

The Cluster Superintendent or designee shall serve as the Level Two Grievance Officer, and will schedule a conference with the parent or student within ten days of receipt of the Level Two appeal. The Level Two Grievance Officer shall have ten days following the conference to issue a decision and to provide written notice of that decision to the student or parent complaining.

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##### **Level Three**

If the student or parent is not satisfied with the Level Two decision, or if no decision is provided within the time allotted, the student or parent may request in writing a conference with the Superintendent of Schools or designee within ten days of the Level Two decision or the response deadline if no decision is made. The student or parent must submit the documentation previously submitted to the Level Two Grievance Officer, and the date and results of the conference with the Level Two Grievance Officer.

The Superintendent of Schools or designee shall serve as the Level Three Grievance Officer, and will schedule a conference with the parent or student within ten days of receipt of the Level Three appeal. The Level Three Grievance Officer shall have ten days following the conference to issue a decision and to provide written notice of that decision to the student or parent complaining.

##### **Level Four**

If the student or parent is not satisfied with the Level Three decision, or if no timely decision is provided, the student or parent may submit to the Superintendent of Schools or designee in writing a request for a hearing before the Board of Directors. The request must be filed within ten days of the Level Three decision or the response deadline if no decision is made. The complaint shall be directed and delivered to the President of the Board of Directors, and shall include a copy of the written complaint to the Level Three Grievance Officer, with his or her response.

Harmony shall place the matter on the agenda of a future Board meeting. The Superintendent of Schools or designee shall inform the student or parent of the date, time, and place of the meeting.

The Board of Directors shall hear the student or parent complaint, and may set a reasonable time limit for presenting the complaint. Only written documentation and issues previously submitted and presented by the student or parent and the school will be considered. An audiotape recording of the hearing shall be made.

The Board of Directors shall communicate its decision, if any, orally or in writing before or during the next regularly scheduled Board meeting. If no decision is made by the end of the next regularly scheduled Board meeting, the last decision below shall be upheld. The Board may not delegate its authority to issue a decision, and any decision by the Board of Directors is final and may not be appealed. The Board or designee shall inform the student or parent complaining of the Board's decision in writing.

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If the complaint involves concerns or charges regarding a student or Harmony employee, it shall be heard by the Board of Directors in closed meeting unless the employee to whom the complaint pertains requests that it be heard in public.

**Complaints Regarding the Free and Reduced Price Meal Program**

The following procedures apply to all complaints made by parents regarding the School's administration of the Free and Reduced Price Meal Program:

1. Parents with concerns or complaints will be directed to the Child Nutrition Director for the appropriate campus.
2. The parent will complete a Complaint Form that is available in the front office.
3. Completed forms must be returned to the campus Child Nutrition Director.
4. The campus Child Nutrition Director will provide completed forms to a Hearing Officer who is designated by the Campus Principal.
5. The campus Hearing Officer will forward the completed form to the Texas Department of Agriculture.