

Heritage Academy BOARD POLICY MANUAL

POLICY GROUP 3 – STUDENTS

PARENT AND STUDENT COMPLAINTS AND GRIEVANCES

PG-3.35

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 Principal within seven calendar 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 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 Heritage Academy employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint.

Notice to Parents and Students

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

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-3.4.1 (Freedom from Discrimination, Harassment, and Retaliation).
2. Complaints concerning retaliation related to discrimination and harassment. See PG-3.4.1 (Freedom from Discrimination, Harassment, and Retaliation).
3. Complaints concerning bullying or retaliation related to bullying. See PG-3.4.2 (Freedom from Bullying and Cyber-Bullying).
4. Complaints concerning loss of credit on the basis of attendance. See PG-3.3.4 (Attendance for Credit).
5. Complaints concerning expulsion. See PG-3.30.2 (Student Discipline: Expulsion).
6. Complaints concerning identification, evaluation, or educational placement of a student with a disability within the scope of Section 504. See PG-3.2.1 (Equal Educational Opportunity) and the procedural safeguards handbook.
7. 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-3.30.3 (Student Discipline: Students with Disabilities) and the procedural safeguards handbook.
8. Complaints regarding the Free and Reduced Price Meal Program. See this Policy.

General Provisions

Filing

Student and/or parental complaints shall be submitted in writing on a form provided by Heritage Academy. 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 in any material way may be dismissed.

For purposes of this policy, “days” shall mean calendar 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.

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Level One

A student or parent who has a complaint that could not be resolved informally shall request a conference with the Campus Principal by filing the complaint in writing on a form provided by the school. The form must be filed with the school office within seven days of the time the student or parent knew, or should have known, of the event or series of events about which the student or parent is complaining. Copies of any documents that support the complaint should be attached to the complaint form. If the student or parent does not have copies of these documents, they may be presented at the Level One conference. After the Level One conference, no new documents may be submitted unless the student or parent did not know the documents existed before the Level One conference. A complaint form that is incomplete in any material way may be dismissed, but may be re-filed with all the requested information if the re-filing is within the designated time for filing a complaint.

The Campus Principal shall hold a conference with the student or parent within seven days of the request. The seven-day timeframe for holding the Level One conference may be extended if mutually agreed to by both the student or parent and the Campus Principal. An adult may represent a student at this and any level of the complaint.

The Campus Principal shall have seven days following the Level One conference within which to respond. Announcement of a decision in the student's or parent's presence shall constitute communication of the decision.

Should the complaint involve a problem with the Campus Principal, then the Level One complaint form should be submitted to the Human Resources Department at the following address:

Heritage Academy
Complaint: Level One
Attn: Human Resources Department
12470 Woman Hollering Rd.
Schertz, TX 78154

Note: In accordance with PG-3.2.1 (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 twenty school days.

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Level Two

If the outcome of the Level One conference with the Campus Principal is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may appeal the Level One decision to the Director of Student Services by filing the appeal notice in writing on a form provided by the school.

The appeal notice must include a copy of the Level One complaint, a copy of the Level One decision being appealed (if applicable), and a copy of any documents presented at the Level One conference.

The appeal notice must be postmarked to the following address within seven days following receipt of a response or, if no response is received, within seven days of the response deadline:

Heritage Academy
Complaint: Level Two
Attn: Human Resources Department
12470 Woman Hollering Rd.
Schertz, TX 78154

The Director of Student Services or designee shall hold a conference with the student or parent within seven days of the appeal notice. The seven-day timeframe for holding the Level Two conference may be extended if mutually agreed to by both the student or parent and the Director of Student Services or designee.

The Director of Student Services or designee shall have seven days following the Level Two conference within which to respond. Announcement of a decision in the student's or parent's presence shall constitute communication of the decision.

Level Three

If the outcome of the Level Two conference with the Director of Student Services or designee is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may appeal the Level Two decision to the Superintendent by filing the appeal notice in writing on a form provided by the school. The appeal notice must include a copy of the Level One complaint, a copy of the Level Two appeal notice, a copy of the Level One and Level Two decisions being appealed (if applicable), and a copy of any documents presented at the Level One and Level Two conferences.

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The appeal notice must be postmarked to the following address within seven days following receipt of a response or, if no response is received, within seven days of the response deadline:

Heritage Academy
Complaint: Level Three
Attn: Human Resources Department
12470 Woman Hollering Rd.
Schertz, TX 78154

The Superintendent or designee shall hold a conference with the student or parent within 14 days of the appeal notice. The 14-day timeframe for holding the Level Three conference may be extended if mutually agreed to by both the student or parent and the Superintendent or designee. The Level Three conference may be held via telephone or video conference at the discretion of the Superintendent.

The Superintendent or designee shall have seven days following the Level Three conference within which to respond. Announcement of a decision in the student's or parent's presence shall constitute communication of the decision.

Level Four

If the outcome of the Level Three conference with the Superintendent or designee is not to the student's or parent's satisfaction or the time for a response has expired, the student or parent may appeal the Level Three decision to the Board of Directors by filing the appeal notice in writing on a form provided by the school. The appeal notice must include a copy of the Level One complaint; a copy of the Level Two and Level Three appeal notices; a copy of the Level One, Level Two, and Level Three decisions being appealed (if applicable); and a copy of any documents presented at the Level One, Level Two, and Level Three conferences.

The appeal notice must be postmarked to the following address within seven days following receipt of a response or, if no response is received, within seven days of the response deadline:

Heritage Academy
Complaint: Level Four
Attn: Human Resources Department
12470 Woman Hollering Rd.
Schertz, TX 78154

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The appeal will then be placed on the agenda of a future Board meeting. The Superintendent or designee shall inform the student or parent of the date, time, and place of the meeting.

The Board of Directors is not required to consider documentation not previously submitted or issues not previously presented. The presiding officer may set reasonable time limits. The Board of Directors shall hear the complaint and may request a response from the school. The school shall make an audiotape record of the Level Four proceedings before the Board of Directors. The Board of Directors shall then make and communicate its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board of Directors fails to reach a decision regarding the complaint by the end of the next regularly scheduled Board meeting, the lack of a response by the Board of Directors upholds the decision at Level Three.

If the complaint involves concerns or charges regarding an 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 Heritage Academy'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 Principal.