Sec. 1. GUIDING PRINCIPLES

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

a) *Informal Process*

Raul Yzaguirre Schools for Success ("RYSS") encourages students and parents to discuss their complaints or grievances with the appropriate teacher, principal, or other campus administrator who has the authority to address the concerns. Concerns and complaints should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

b) *Grievance Procedures*

The Superintendent or designee shall develop a detailed grievance process; this process shall recognize the Board's final authority to hear or decide parent and student grievances. The grievance process 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 Superintendent or designee shall ensure that the detailed grievance process is made available to students and parents through the Student Handbook.

c) *Board Consideration of Student and Parent Grievances*

The Board shall retain final authority to hear or decide parent and student grievances. *19 TAC 100.1033(b)(14)(C)(i)*.

Unless otherwise required by law, the hearing at which the grievance will be discussed may be open or closed at the request of the person who filed the grievance.

d) *Freedom from Retaliation*

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

e) *Board Member Grievances*

A member of the Board may file a grievance in accordance with the Grievance Procedures may file a grievance. If the grievance is appealed to Level Three and the Board considers the grievance or appeal, the Board member who filed the complaint is prohibited from participating in the vote on the matter.

f) *Recusal*

© 2023 Schulman, Lopez, Hoffer & Adelstein, LLP
All rights reserved.
SLHA Schulman, Lopez, Hoffer & Adelstein, LLP

A person involved in reviewing a grievance through the Grievance Procedures must recuse himself or herself from reviewing the grievance if the person is the subject of the grievance. In such instance, RYSS must provide for a higher level of review of the grievance if the person who would otherwise review the grievance is required to recuse himself or herself.

g) ***Creation and Retention of Records of Hearings***

RYSS shall create and retain a record of each hearing conducted for a grievance. The record shall contain documents submitted by the person who filed the grievance or determined relevant by District personnel, and a written record of the decision, including an explanation of the basis for the decision and an indication of each document that supports the decision.

The person who filed the grievance may supplement the record with additional documents or add additional claims prior to a final decision being rendered.

A grievance may be remanded to a lower level review to develop a record at any time.

h) ***Decision on the Merits***

RYSS shall issue a decision on the merits of the concern raised in a grievance, notwithstanding procedural errors or the type of relief requested.

i) ***Annual Report***

RYSS must submit an annual report to the Texas Education Agency on grievances filed during the preceding year. The report must include for each grievance the resolution of the grievance and any corrective action taken.

© 2023 Schulman, Lopez, Hoffer & Adelstein, LLP
All rights reserved.