

Solicitors, vendors, collectors, or salespersons shall not be permitted to confer with students or employees during school hours for purposes that are not integral to the school's business of educating students.

Under no circumstances shall such persons be permitted to interrupt classes.

**Vendor / Contractor  
Complaints and  
Grievances**

Guiding Principles  
and Application

This policy shall apply to all complaints or grievances from:

1. All persons, corporations, partnerships, or any other entity that seeks engagement in or has engaged in a contractual relationship with the District to provide goods or services; and
2. All persons, corporations, partnerships, or any other entity that claims to have performed services or provided goods to the District based on any understanding it may have had with any officer, employee, or agent of the District that are related to or arising out of the:
  - a. Administration or performance of contracts or an alleged contract for goods or services by the District, its agents, its employees, or its contractors; and
  - b. Acts of the District or any of its employees, officers, agents, or contractors related to a contract or an alleged contract for goods or services, including the alleged negligent or intentional conduct of any District employees, officers, agents, or contractors.

This policy shall not apply to persons who are employees of the District or to any complaint or grievance arising from employment in the District.

**Definitions**

Complaint /  
Grievance

For purposes of this policy, the following definitions shall apply.

The terms "complaint" and "grievance" shall have the same meaning.

Filing

Complaint forms and appeal notices may be filed by hand-delivery, fax, or 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. Fax filings shall be timely filed if they are received on or before the deadline, as indicated by the date/time shown on the fax copy. Mail filings shall be timely filed if they are postmarked by U.S. Mail on the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

Days	<p>"Days" shall mean calendar days. "Business days" shall mean days on which the District's administrative office is open for business and does not include weekends or holidays.</p> <p>In calculating time lines under this policy, the day a document is filed, mailed, or otherwise delivered is "day zero," and all deadlines shall be determined by counting the following day or business day, as appropriate, as "day one."</p>
Response	<p>At Levels One and Two, "response" shall mean a written communication to the complainant from the appropriate administrator. Responses may be hand-delivered or sent by U.S. Mail to the individual's mailing address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on the deadline and received by the individual or designated representative no more than three business days after the response deadline.</p>
Representative	<p>"Representative" shall mean any person who or organization that is designated by an individual to represent the individual in the complaint process.</p> <p>The individual may designate a representative through written notice to the District at any level of this process. If the individual designates a representative with fewer than three 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.</p>
<b>General Provisions</b>	<p>Complaints arising out of an event or a series of related events shall be addressed in one complaint. An individual shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.</p>
<b>Untimely Filings</b>	<p>Complaints that are not filed in accordance with the time lines shall be dismissed. No administrator shall have the authority to extend a deadline for filing a complaint.</p> <p>The complainant may appeal the dismissal by seeking review in writing within ten days, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.</p> <p>All appeals challenging the determination of timeliness shall be filed in writing and shall state the reason the complainant believes the complaint was timely filed. For appeals of timeliness only, the complainant shall not be entitled to make a personal presentation at any grievance level on the subject. Rather a determination shall be made solely on the written documentation provided by the complainant in connection with the appeal.</p>

<b>Costs Incurred</b>	Each party shall pay its own costs incurred in the course of the complaint.
<b>Complaint Form</b>	<p>Complaints under this policy shall be submitted in writing on a form provided by the District.</p> <p>Copies of any documents that support the complaint must be attached to the complaint form. If the individual 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 individual did not know the documents existed before the Level One conference.</p> <p>A complaint form that is incomplete in any material aspect 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.</p>
<b>Level One</b>	<p>Complaint forms must be filed:</p> <ol style="list-style-type: none"><li>1. Within 90 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</li><li>2. With the deputy superintendent.</li></ol> <p>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.</p> <p>The appropriate administrator shall hold a conference with the individual within ten business days after receipt of the written complaint. The administrator shall have ten business days following the conference to provide the individual a written response.</p>
<b>Level Two</b>	<p>If the individual did not receive the relief requested at Level One or if the time for a response has expired, he or she may request a conference with the Superintendent or designee to appeal the Level One decision.</p> <p>The appeal notice must be filed in writing, on a form provided by the District, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level One.</p> <p>The Superintendent or designee shall hold a conference within ten business days after the appeal notice is filed. At the conference, the Superintendent or designee shall consider only the issues and documents presented at Level One and identified in the Level Two</p>

appeal notice. The Superintendent or designee shall have ten business days following the conference to provide the individual a written response.

**Level Three**

If the individual did not receive the relief requested at Level Two or if the time for a response 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 ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level Two.

The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

The Superintendent or designee shall provide the Board with copies of the complaint form, all responses, all appeal notices, and all written documentation previously submitted by the individual or the administration. The Board shall consider only those issues and documents presented at the preceding levels and identified in the appeal notice.

The Board 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 presiding officer may set reasonable time limits and guidelines for the presentation. The Board shall hear the complaint and may request that the administration provide an explanation for the decisions at the preceding levels.

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

The Board shall then consider the complaint. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. Announcing the Board's decision or announcing the effect of Board inaction in the complainant's presence constitutes communication of the decision. If for any reason the Board fails to reach 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.