

Uplift Education
Parent Grievance Policy
Policy Effective Date: October 10, 2019

The Uplift Education (“Uplift”) Board of Trustees (“Board”) has adopted this grievance policy in order to provide parents an opportunity to be heard and in an effort to hear and resolve parent grievances in a timely manner and at the lowest administrative level possible. “Parent” is defined as parent, guardian, a person with legal custody over a scholar, and scholars 18 years of age and older. For purposes of this policy, “grievance” and “complaint” have the same meaning.

Parent grievances shall be filed and addressed in accordance with this policy, except for complaints alleging one or more of the following:

1. Complaints alleging discrimination or harassment based on gender, gender identity, sex, sexual orientation, race, color, religion, national origin, age, disability, or any other basis prohibited by law shall be filed and addressed pursuant to the “Discrimination, Harassment, and Retaliation – Scholar” policy.
2. Complaints alleging dating violence shall be filed and addressed pursuant to the “Discrimination, Harassment, and Retaliation – Scholar” policy.
3. Complaints concerning retaliation related to discrimination and harassment shall be filed and addressed pursuant to the “Discrimination, Harassment, and Retaliation – Scholar” policy.
4. Complaints concerning expulsion shall be filed and addressed pursuant to the Scholar Code of Conduct.
5. Complaints concerning identification, evaluation, educational placement, or discipline of a scholar with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with the procedural safeguards handbook provided to parents of all scholars referred to special education.
6. Complaints concerning identification, evaluation, or educational placement of a scholar with a disability within the scope of Section 504 shall be submitted in accordance with the procedural safeguards handbook.
7. Complaints concerning issues addressed by a specific policy.

Informal Process

Parents are encouraged to discuss their concerns with the appropriate teacher, campus director, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest administrative level.

Seeking an informal resolution shall not extend any deadline in this policy with respect to filing a formal grievance, except by written mutual consent.

Formal Process

While informal resolution is encouraged, a parent may initiate the formal grievance process by timely filing a written grievance.

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.

A parent whose grievance is resolved informally may withdraw a formal grievance at any time.

Freedom from Retaliation

Neither the Board nor any Uplift employee shall unlawfully retaliate against a parent for bringing a concern or complaint, either informally or formally.

Notice to Parents

All parents shall be given notice of this policy by Uplift. Receipt of the Scholar Handbook constitutes parent notification.

Filing

All written grievances and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by 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 or email filings shall be timely filed if they are received on or before the deadline, as indicated by the time/date shown on the fax copy of on the email receipt notice. Mail filings shall be timely filed if they are postmarked by U.S. mail on the deadline and received by the appropriate administrator or designee no more than three business days after the deadline.

Days

“Days” shall mean Uplift business days, unless otherwise noted. The day a document is filed is “day zero.” The following day is “day one.”

Representative

“Representative” means any person or organization designated by the parent to represent the parent in the grievance process. The parent may designate a representative through written notice to Uplift at any level of the process. If the parent designates a representative for the first time before

a scheduled conference, Uplift may reschedule the conference to a later date, if desired, in order to include Uplift's counsel or other representative.

Related Grievances

Grievances arising out of an event or series of related events shall be addressed in one grievance. Parents shall not bring separate or serial grievances arising from any event or series of events that have been or could have been addressed in a previous grievance.

When two or more grievances are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, Uplift may consolidate the grievances.

Untimely Filings

All time limits shall be strictly followed unless modified by written consent of both parties.

If a written grievance or appeal notice is not timely filed, the grievance may be dismissed, on written notice to the parent. The parent may appeal the dismissal by seeking review in writing within ten business days of the dismissal date, starting at the level at which the grievance was dismissed. Such appeal shall be limited to the issue of timeliness.

Expenses Incurred

Each party shall pay its own expenses incurred in the course of the grievance process.

Grievances, Appeal Notices and Submission of Documentation

Grievances under this policy must be filed in writing.

Copies of any documents that support the grievance should be attached to grievance. If the parent does not have hard copies of the documents, they may be presented at the Level One conference. No documentation may be submitted by a parent after the Level One conference.

A written grievance that is incomplete in any material aspect may be dismissed, but may be re-filed with all the requested information so long as the re-filing is within the designated time for filing a complaint.

Scheduling Hearing Conferences

Uplift shall make reasonable attempts to schedule hearing conferences at a mutually agreeable time with the scholar or parent. If unsuccessful, Uplift will schedule the hearing and notify the parent. If the parent fails to appear at the scheduled conference, Uplift may hold the conference and issue a decision in the parent's absence.

Level One

A written grievance must be filed within 10 business days of the date the parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the grievance with the appropriate administrator or designee.

The Level One administrator assigned to hear the grievance shall be the campus director for the school which the parent's child attends; however, the CEO reserves the right to appoint another administrator to serve as hearing officer.

The Level One administrator shall hold a conference with the parent within ten business days after the receipt of the grievance form. The parent shall bring copies of any documents the parent requests to be considered to the Level One conference. An audio recording shall be made of the Level One conference.

The Level One administrator shall have ten business days following the conference to issue the parent a written decision. The Level One administrator may attach any relevant documentation to the Level One decision that supports the decision.

Level Two

If the parent did not receive the relief requested at Level One or if the time for a decision has expired, the scholar or parent may file a written appeal to the Managing Director of the School or designee.

The appeal notice must be filed within ten business days after receipt of a decision or, if no decision was received, within ten business days of the Level One decision deadline.

The Level Two administrator assigned to hear the grievance shall be the Managing Director for the school which the parent's child attends; however, the CEO reserves the right to appoint another administrator to serve as hearing officer.

The Level Two administrator shall hold a conference with the parent within ten business days after the receipt of the appeal notice. An audio recording shall be made of the Level Two conference. At the conference, the Level Two administrator shall consider only the issues and documents presented at Level One.

The Level Two administrator shall have ten business days following the conference to issue the parent a written decision. The Level Two administrator may attach any relevant documentation to the Level Two decision that supports such decision.

Level 3 – Final Appeal to the Uplift Board of Governors

If the scholar or parent did not receive the relief requested at Level Two or if the time for a decision has expired, the scholar or parent may file a written appeal to the Board of Governors.

The appeal notice must be filed within ten business days after receipt of a decision or, if no decision was received, within ten business days of the Level Two decision deadline.

The Board of Governors shall hear grievances at Level Three. The parent will be informed of the date, time, and place of the Board meeting at which the grievance shall be heard. The date, time, and place of the Board meeting shall only be rescheduled if a quorum of the board is not present.

The Board shall consider only those issues and documents presented at the Level One, except that if at the Level Two hearing, the administration intends to rely on documentation not previously submitted, the administration shall provide the parent or scholar with notice of the nature of the documentation at least three business days before the Level Three hearing.

The presiding officer of the Board may set reasonable time limits and guidelines for the presentation, which may be in open or closed meeting as determined by the presiding officer in accordance with the Texas Open Meeting Act and other applicable law.

The Board shall consider the grievance and may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. The Board may attach and relevant documentation to its decision that supports such decision. If for any reason the Board fails to reach a decision regarding the grievance by the end of the next regularly scheduled meeting, the lack of decision by the Board upholds the decision of the Level Two administrator.

The Decision of the Board is Final.