

## **Rice Education Grievance Policy**

In this policy, the terms "complaint" and "grievance" shall have the same meaning. The term claimant is the person filing the complaint or grievance.

**Rice University Teacher Education** encourages applicant, undergraduate students, graduate students, clinical teachers, intern teachers, and principal certification candidates to discuss their concerns and complaints through informal conferences with the Rice University Education program director.

Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

### **Informal Process**

If an informal conference regarding a complaint fails to reach the outcome requested by the claimant, he or she may initiate the formal process described below by filing a written complaint form in a timely manner.

Even after initiating the formal complaint process, a claimant is encouraged to seek informal resolution of his or her concerns. A claimant, whose concerns are resolved, may withdraw a formal complaint at any time.

### **Formal Complaint Process**

#### **Level One:**

Complaint forms must be filed:

1. Within 10 days of the date the claimant first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint or grievance; and
2. With the program director.

The program director with the appropriate university dean shall hold a conference with the claimant within ten days after receipt of the written complaint

Complaints arising out of an event or a series of related events shall be addressed in one complaint. Claimants 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.

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

All time limits shall be strictly followed unless modified by mutual written consent.

Each party shall pay his/her own costs incurred in the course of the complaint.

Complaints under this policy shall be submitted in writing on a form provided by the program.

Copies of any documents that support the complaint should be attached to the complaint form. If the claimant does not have copies of these documents, he/she may present documents at the Level One

conference. After the Level One conference, no new documents may be submitted unless the claimant did not know the documents existed before the Level One conference.

A complaint form that is incomplete in any material aspect may be dismissed, but it may be refiled with all the requested information if the refiling is within the designated time for filing a complaint.

As provided by law, a claimant shall be permitted to make an audio recording of a conference under this policy at which the substance of the candidate's complaint is discussed. The claimant shall notify all attendees present that an audio recording is taking place.

If a complaint form is not filed within 10 days, the complaint may be dismissed, on written notice to the claimant, at any point during the complaint process. The claimant may appeal the dismissal by seeking review in writing within ten business days, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

## **Level Two: The Appeal Process**

The Appeal Notice forms must be filed:

1. Within 10 days of the date the claimant first knew, or with reasonable diligence should have known, of the decision or action giving rise to the Level One hearing
2. With the program director.

The program director shall establish a grievance committee comprised of the Teacher Education program staff and faculty members. The program director will facilitate a hearing with the grievance committee and the claimant within ten days after receipt of the written appeal notice.

The direct program shall have ten days following the hearing to provide the claimant a written response from the grievance committee.

All time limits shall be strictly followed unless modified by mutual written consent.

Each party shall pay its own costs incurred in the course of the complaint.

Appeals under this policy shall be submitted in writing on a form provided by the program.

Copies of any documents that support the complaint should be attached to the complaint form. If the claimant does not have copies of these documents, he/she may present documents at the Level One conference. After the Level One conference, no new documents may be submitted unless the claimant did not know the documents existed before the Level One conference.

An appeal form that is incomplete in any material aspect may be dismissed, but it may be refiled with all the requested information if the refiling is within the designated time for filing an appeal.

As provided by law, a claimant shall be permitted to make an audio recording of a conference/ hearing under this policy at which the substance of the claimant's complaint is discussed. The claimant shall notify all attendees present that an audio recording is taking place.

If an appeal form is not filed within 10 days, the appeal may be dismissed, by written notice to the claimant, at any point during the complaint process. The claimant may appeal the dismissal by seeking review in writing within ten business days, starting at the level at which the complaint was dismissed. Such appeal shall be limited to the issue of timeliness.

The appeal notice must be filed in writing, on a form provided by the program, within ten days after receipt of a response or, if no response was received, within ten days of the response deadline at Level One.

If the claimant did not receive the relief requested at Level One or Level Two, the claimant may appeal the decision to Graduate Studies or Undergraduate Studies. If the claimant does not receive a response within the timeframe, the claimant may appeal the decision to the Graduate Studies or Undergraduate Studies.

### **Complaint / Appeal Forms and Deadlines**

Complaint forms or appeal notices may be filed by hand-delivery, email, fax, or U.S. Postal Service. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Emails shall be timely filed if they are dated and time marked on or before 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. Postal Service filings shall be timely filed if they are postmarked on the deadline and received by the appropriate administrator or designated representative no more than three days after the deadline.

A "response" shall mean a written communication to the claimant from the appropriate EPP staff. Responses may be hand-delivered or sent by U.S. Postal Service or emailed to the claimant's email or mailing address of record. Postal Service responses shall be timely if they are postmarked by U.S. Postal Service on the deadline and received by the claimant no more than three days after the response deadline.

"Days" shall mean program business days. In calculating time lines under this policy, the day a document is filed is "day zero," and all deadlines shall be determined by counting the following day as "day one."

### **Level Three: An Appeal to Graduate Studies or Undergraduate Studies**

The appeal to Graduate Studies or Undergraduate Studies must be filed within 10 days of the date the claimant first knew, or with reasonable diligence should have known, of the decision or action giving rise to the Level Two hearing.

Graduate Studies or Undergraduate Studies or their designee shall inform the claimant of the date, time, and place of the meeting at which the complaint will be discussed.

The program's director shall provide Graduate Studies or Undergraduate Studies with copies of the complaint form, the response at Level One, the appeal notice, and all written documentation previously submitted by candidate. Graduate Studies or Undergraduate Studies shall consider only those issues and documents presented at the preceding level and identified in the appeal notice.

Graduate Studies or Undergraduate Studies will determine if they will address the claimant's appeal or refer the claimant to the Academic or Judiciary Committee or another legal department.

Graduate Studies, Undergraduate Studies, Academic or Judiciary Committees must provide written notice of the decision to the claimant and the Teacher Education program director.

The EPP must retain information concerning the complaint for a minimum of three years.

## Level Four: Texas Education Agency

After the claimant has exhausted all attempts at the program level to resolve a complaint that occurred within the past two years and has not received the relief sought, information on how to file a complaint with TEA can be secured from the EPP by information posted at their physical facility, on their website or, upon request, directions in writing.

The official TEA complaint process can be found at [www.tea.texas.gov](http://www.tea.texas.gov) in the banner located at the bottom of the page and then select "Educator Preparation Programs."

The complaint process allows for an applicant or a candidate in an educator preparation program to seek redress in areas where they feel that the program did not fulfill requirements for certification or for actions that the claimant feels are wrong. Educator preparation programs may also file a complaint about the actions of other programs when it involves a clinical or intern teacher transferring into a program.

Not all complaints fall under the authority of TEA. TEA has jurisdiction to investigate allegations of noncompliance regarding specific laws and rules, generally related to state and federal requirements. Complaints may address educator preparation program requirements listed in Texas Administrative Code (TAC) in Chapters 227, 228, 229, ethics (TAC 247), fingerprinting (TAC §§227,232) and certification (TAC §§230, 231, 232, 239, 241, 242).

All complaints filed with the TEA must be in writing. We do not accept complaints by phone or complaints that are submitted anonymously. A person or entity may file a written complaint with TEA by filling out the [complaint form](#) online or by mailing or faxing a hard copy to the address on the form. You may fax your submission to (512) 463-9008 or email it to [generalinquiry@tea.texas.gov](mailto:generalinquiry@tea.texas.gov).

To adequately review and address a complaint, TEA needs specific details. We must be able to identify a clear violation of TAC and determine whether the agency has authority to act upon the allegation.

Complaints submissions should include the following:

- The reasons you believe the issues raised in your complaint are valid. You should also indicate how you believe that TEA can assist you with this matter. Remember that TEA cannot assist you in understanding your contractual arrangement with the educator preparation program, arranging for a refund, obtaining a higher grade or credit for training, or seeking reinstatement to an educator preparation program.
- Documentation to support your claim when possible. For example, if you refer in your complaint to an educator preparation program policy, include a copy of the policy with your complaint. Helpful documentation might include letters or e-mails exchanged between the parties.

Texas Education Agency staff will send confirmation of a complaint within 30 days of receiving the submission. Remember, information the public sends to TEA by email may not be secure. Do not email sensitive information to TEA. The agency will remove confidential or sensitive information when replying by email. TEA will maintain confidentiality of information to the extent the law allows.

**TEXAS ADMINISTRATIVE CODE §228. 70**