

## COMPLAINT POLICY

### Educator Preparation Program

### UNIVERSITY OF NORTH TEXAS AT DALLAS

#### COMPLAINTS

In this policy, the terms “complaint,” “concern” and “grievance” shall have the same meaning.

For the purpose of this policy, the term “candidate” shall encompass all students.

In this policy, “program” shall have the same meaning as University of North Texas at Dallas Teacher Education Program, School Counseling Program, Principal Program, and/or Graduate Teacher Education Program.

#### OTHER COMPLAINT PROCESSES

Complaints shall be filed in accordance with this policy, except as required by the policies listed below. Some of these policies require appeals to be submitted in accordance with the complaint policy after the relevant complaint process:

Complaints regarding discrimination or harassment of any type (including sexual harassment) made against a UNTD student, faculty member, staff member, or other member of the University community.

Refer to [UNTD Policy 5.001, Prohibiting Discrimination and Harassment](#)

Also see corresponding procedures: [5.001a, Discrimination and Harassment Complain Procedures](#)

Complaints regarding a grade or grade-related penalty

Refer to the [UNTD Policy 7.007, Grade Appeal](#)

Complaints regarding the outcome of student conduct hearings

Refer to appeal procedures in [UNTD Policy 7.001, Code of Student's Rights, Responsibilities, and Conduct](#)

Complaints regarding the outcome of an investigation and review of academic dishonesty

Refer to appeal procedures in [UNTD Policy 7.002, Code of Academic Integrity](#)

Complaints regarding the release of student information or accuracy of student education record

Refer to [UNTD Policy 7.003 Student Records](#)

Complaints regarding a decision on the modification of academic requirements or other disability accommodation for students

Refer to [UNTD Policy 7.004, Disability Accommodation for Students](#)

Complaints regarding a decision by the Behavioral Intervention Team concerning an involuntary medical withdrawal

Refer to appeal procedures [UNTD Policy 7.008, Involuntary and Voluntary Student Medical Withdrawal](#)

## GUIDING PRINCIPLES

The program encourages candidates to discuss their concerns and complaints through informal conferences with their program staff.

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

## FORMAL PROCESS

If an informal conference regarding a complaint fails to reach the outcome satisfactory to the candidate, he or she may initiate a formal process described below by timely filing a written complaint form or appeal notice.

Even after initiating the formal complaint process, a candidate is encouraged to seek informal resolution of his/her concern. A candidate, whose concern is resolved, may withdraw a formal complaint at any time.

## GENERAL PROVISIONS FILING

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

## RESPONSE

At Levels One and Two, "response" shall mean a written communication to the candidate from the appropriate program staff or faculty. Responses may be hand-

delivered, sent by U.S. Mail or emailed to the candidate's address of record. Mailed responses shall be timely if they are postmarked by U.S. Mail on the deadline and received by the candidate no more than three days after the response deadline.

DAYS

"Days" shall mean program business days. In calculating timelines 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."

GENERAL PROVISION

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

UNTIMELY FILINGS

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

If a complaint form is not timely filed, the complaint may be dismissed, on written notice to the candidate, at any point during the complaint process. The candidate 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.

COSTS INCURRED

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

## COMPLAINT FORM

Complaints under this policy shall be submitted in writing on a form provided by the program. Complaint form and appeal notice may be found following the Complaint Procedure.

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

## AUDIO RECORDING

As provided by law, a candidate 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 candidate shall notify all attendees present that an audio recording is taking place.

## LEVEL ONE

Complaint forms must be filed:

1. Within 15 days of the date the candidate first knew, or with reasonable diligence should have known, of the decision or action giving rise to the complaint; and with the Assistant Dean, School of Education (for School of Education programs) or Program Coordinator (for School Counseling).
2. In the case that the complaint directly involves the Assistant Dean, School of Education or Program Coordinator (for School Counseling), the complaint shall be filed with the Dean of the School Education or Dean of the School of Human Services, respectfully.

The Assistant Dean/Program Coordinator shall hold a conference with the candidate within ten days after receipt of the written complaint.

The Assistant Dean/Program Coordinator shall have ten days following the conference to provide the candidate a written response.

## LEVEL TWO

If the candidate did not receive a satisfactory resolution to their complaint at Level One or if the time for a response has expired, the candidate may appeal the decision to the Dean of the School of Education or Dean, School of Human Services.

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.

The Dean shall inform the candidate of the date, time and place of the meeting at which the complaint will be discussed.

The Assistant Dean/Program Coordinator shall provide the Dean with copies of the complaint form, the response at Level One, the appeal notice and all written documentation previously submitted by the candidate. The Dean shall consider only those issues and documents presented at the preceding level and identified in the appeal notice.

The Dean must provide written notice of the decision to the candidate.

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

After the candidate 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 maybe be secured from the program by information posted at their physical facility, on their website or, upon request, directions in writing.

## LEVEL THREE

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".

### LEVEL THREE (cont.)

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 candidate feels are wrong. Educator preparation programs may also file a complaint about the actions of other programs when it involves a candidate 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.