

SUBJECT: Requiring school districts to adopt policies addressing complaints

COMMITTEE: Public Education — committee substitute recommended

VOTE: 12 ayes — Buckley, Allen, Cunningham, Dutton, Cody Harris, Harrison, Hefner, Hinojosa, K. King, Longoria, Schaefer, Talarico

0 nays

1 absent — Allison

WITNESSES: For — Lee Spiller, Citizens Commission on Human Rights; Carrie Moore, Texas Education 911 (*Registered, but did not testify*: Tricia Cave, ATPE - Association of Texas Professional Educators; Steven Aleman, Disability Rights Texas; Grover Campbell, TASB; Barry Haenisch, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Paige Williams, Texas Classroom Teachers Association; Mark Terry, Texas Elementary Principals and Supervisors Association; Meg Aerni, Texas Home School Coalition; Matthew McCormick, Texas Public Policy Foundation; Jonathan Covey, Texas Values)

Against — (*Registered, but did not testify*: Susan Stewart)

On — (*Registered, but did not testify*: Eric Marin, Marc Puig, Von Byer, Texas Education Agency)

DIGEST: CSHB 890 would require school districts to adopt policies related to the processing of complaints received from a school district employee, parent, student, or member of the public. Under the bill, school district policies would be required to:

- allow a complaint to be filed at any time, regardless of when the issue of concern occurred, if the complaint alleged a violation of law or board policy that was continuous or ongoing;
- unless otherwise prohibited by law, include an initial administrative

hearing and an opportunity to appeal the administrative decision following the initial hearing;

- unless otherwise agreed to by the parties, provide for a final decision on the complaint within 120 calendar days after the date the complaint was filed; and
- if a final decision was not made by the 120th calendar day, require the district to immediately issue a final decision in favor of the complainant.

School boards would be required to adopt the policies required in the bill as soon as practicable after the effective date.

The bill would be effective September 1, 2023.

**SUPPORTERS
SAY:**

CSHB 890 would ensure complaints received by school districts were addressed within a timely manner. Currently individuals that file a complaint with a school district do not necessarily receive information as to when the complaint will be reviewed and when the district will make a final decision regarding the issue. In some cases complaints have lingered until the issue was rendered moot by a student graduating or a teacher retiring.

Requiring districts to put policies in place that lead to a board decision on or before the 120th day would provide complainants with awareness of the process timeline and a target date by which they could expect a decision from the board. The required policy would affirm due process requirements and improve board responsiveness.

**CRITICS
SAY:**

No concerns identified.