

BILL ANALYSIS

Senate Research Center
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H.B. 890
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the board of trustees of an independent school district has an array of duties that the members of the board must implement. One of those duties is adopting a process through which stakeholders may obtain a hearing from district administrators and the board regarding a complaint or grievance. However, the law does not codify what that process will entail or how long the grievance resolution process must take. This leaves members of the public, district personnel, vendors, parents, and students at the mercy of school boards with little control and no timeline in which the matter will be resolved.

H.B. 890 seeks to address this issue by requiring each board of trustees to provide for a complaint to be filed at any time as well as an initial administrative hearing, an opportunity to appeal the administrative decision, and a resolution of the complaint by a deadline.

H.B. 890 amends current law relating to a process adopted by a school district regarding complaints and hearings on complaints.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the board of trustees of an independent school district is modified in SECTION 1 (Section 11.1511, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.1511(b), Education Code, as follows:

(b) Requires the board of trustees of an independent school district (board) to:

(1)-(12) makes no changes to these subdivisions;

(13) by rule, adopt a process through which district personnel, students or the parents or guardians of students, and members of the public are authorized to file a complaint and obtain a hearing from the district administrators and the board regarding the complaint that is required to:

(A) allow a complaint to be filed at any time regardless of when the conduct initially giving rise to the complaint occurred if the complaint alleges a violation of law or board policy that is continuous or ongoing;

(B) unless otherwise provided by law, include an initial administrative hearing and an opportunity to appeal the administrative decision following the initial hearing;

(C) unless otherwise agreed to by the parties, provide for a final decision on the complaint not later than 120 calendar days after the date on which the complaint was filed; and

(D) if a final decision on a complaint is not rendered before the 120th day after the date on which the complaint was filed, require the district to

immediately render a final decision on the complaint in favor of the complainant; and

(14)-(15) makes no changes to these subdivisions.

Makes nonsubstantive changes.

SECTION 2. Requires the board to adopt a process for filing a complaint and obtaining a hearing in accordance with Section 11.1511(b), Education Code, as amended by this Act, as soon as practicable after the effective date of this Act.

SECTION 3. Effective date: September 1, 2023.