

By: Bell of Kaufman, Buckley,
Harris of Anderson, Hefner, Dutton

H.B. No. 890

Substitute the following for H.B. No. 890:

By: Buckley

C.S.H.B. No. 890

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a process adopted by a school district regarding
3 complaints and hearings on complaints.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 11.1511(b), Education Code, is amended
6 to read as follows:

7 (b) The board shall:

8 (1) seek to establish working relationships with other
9 public entities to make effective use of community resources and to
10 serve the needs of public school students in the community;

11 (2) adopt a vision statement and comprehensive goals
12 for the district and the superintendent and monitor progress toward
13 those goals;

14 (3) establish performance goals for the district
15 concerning:

16 (A) the academic and fiscal performance
17 indicators under Subchapters C, D, and J, Chapter 39; and

18 (B) any performance indicators adopted by the
19 district;

20 (4) ensure that the superintendent:

21 (A) is accountable for achieving performance
22 results;

23 (B) recognizes performance accomplishments; and

24 (C) takes action as necessary to meet performance

1 goals;

2 (5) adopt a policy to establish a district- and
3 campus-level planning and decision-making process as required
4 under Section 11.251;

5 (6) publish an annual educational performance report
6 as required under Section 39.306;

7 (7) adopt an annual budget for the district as
8 required under Section 44.004;

9 (8) adopt a tax rate each fiscal year as required under
10 Section 26.05, Tax Code;

11 (9) monitor district finances to ensure that the
12 superintendent is properly maintaining the district's financial
13 procedures and records;

14 (10) ensure that district fiscal accounts are audited
15 annually as required under Section 44.008;

16 (11) publish an end-of-year financial report for
17 distribution to the community;

18 (12) conduct elections as required by law;

19 (13) by rule, adopt a process through which district
20 personnel, students or the parents or guardians of students, and
21 members of the public may file a complaint and obtain a hearing from
22 the district administrators and the board regarding the [a]
23 complaint that must:

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

1 (B) unless otherwise provided by law, include:

2 (i) an initial administrative hearing; and

3 (ii) an opportunity to appeal the
4 administrative decision following the initial hearing;

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

8 (D) if a final decision on a complaint is not
9 rendered before the 120th day after the date on which the complaint
10 was filed, require the district to immediately render a final
11 decision on the complaint in favor of the complainant;

12 (14) make decisions relating to terminating the
13 employment of district employees employed under a contract to which
14 Chapter 21 applies, including terminating or not renewing an
15 employment contract to which that chapter applies; and

16 (15) carry out other powers and duties as provided by
17 this code or other law.

18 SECTION 2. The board of trustees of a school district shall
19 adopt a process for filing a complaint and obtaining a hearing in
20 accordance with Section 11.1511(b), Education Code, as amended by
21 this Act, as soon as practicable after the effective date of this
22 Act.

23 SECTION 3. This Act takes effect September 1, 2023.