

By: Parker

S.B. No. 2171

A BILL TO BE ENTITLED

AN ACT

relating to a public school's grievance procedure.

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

SECTION 1. Section 26.011, Education Code, is amended to read as follows:

Sec. 26.011. GRIEVANCES [~~COMPLAINTS~~]. (a) The board of trustees of each school district shall adopt a grievance procedure under which the board shall address each grievance [~~complaint~~] that the board receives concerning violation of a right guaranteed by this chapter.

(b) The board of trustees of a school district is not required by Subsection (a) or Section 11.1511(b)(13) to address a grievance [~~complaint~~] that the board receives concerning a student's participation in an extracurricular activity that does not involve a violation of a right guaranteed by this chapter. This subsection does not affect a claim brought by a parent under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) or a successor federal statute addressing special education services for a child with a disability.

(c) The grievance procedure adopted under Subsection (a) must:

(1) require the school district to provide to a person who files a grievance not later than the fifth business day after the date on which the grievance is filed written notice of rights

1 and procedures for the grievance procedure that includes:

2 (A) clear instructions regarding how to:

3 (i) pursue a grievance with the principal
4 of the campus at which the grievance arose; and

5 (ii) file an appeal at each level of the
6 grievance procedure, including to the superintendent and the board
7 of trustees of the district and to the commissioner under Section
8 7.057; and

9 (B) contact information for each relevant
10 district employee or other person involved in the grievance
11 procedure;

12 (2) establish uniform timelines by which the school
13 district must respond to a grievance at each level of the grievance
14 procedure;

15 (3) provide that if the school district fails to
16 comply with the uniform timelines established under Subdivision
17 (2), the person who filed the grievance may automatically appeal to
18 the next level of the grievance procedure;

19 (4) provide that a school district employee's
20 disclosure of confidential student information in violation of
21 state or federal law, including the Family Educational Rights and
22 Privacy Act of 1974 (20 U.S.C. Section 1232g), is grounds for
23 disciplinary action against the employee;

24 (5) require mandatory training for school district
25 employees on the proper handling of confidential student
26 information in accordance with state and federal law, including the
27 Family Educational Rights and Privacy Act of 1974 (20 U.S.C.

1 Section 1232g); and

2 (6) require the school district to:

3 (A) maintain the record for the grievance at each
4 level of the grievance procedure, including any notices sent to the
5 person who filed the grievance and any official decisions or
6 actions taken; and

7 (B) provide secure and timely access to the
8 record for the grievance to the person who filed the grievance.

9 (d) The agency shall develop a model form of a notice of
10 rights and procedures for use under Subsection (c)(1).

11 (e) If a grievance is appealed to the commissioner under
12 Section 7.057, the agency may:

13 (1) investigate an alleged violation of state or
14 federal law regarding the confidentiality of student information,
15 including the Family Educational Rights and Privacy Act of 1974 (20
16 U.S.C. Section 1232g), relating to the grievance;

17 (2) collaborate with relevant federal agencies in an
18 investigation described by Subdivision (1); and

19 (3) take any action necessary to compel the school
20 district, the board of trustees of the district, or a district
21 employee to comply with law described by Subdivision (1).

22 (f) Each school district shall annually submit to the agency
23 a report on grievances filed in the district during the preceding
24 year. The report must include for each grievance the resolution of
25 the grievance and any corrective action taken.

26 (g) Not later than December 1 of each year, the agency shall
27 post on the agency's Internet website a report on grievances filed

1 in school districts during the preceding year. The report must
2 aggregate the data statewide and state:

- 3 (1) the number of grievances filed;
4 (2) the number of grievances resolved and the
5 resolution of those grievances; and
6 (3) any corrective actions taken.

7 SECTION 2. Section 12.104(b), Education Code, is amended to
8 read as follows:

9 (b) An open-enrollment charter school is subject to:

10 (1) a provision of this title establishing a criminal
11 offense;

12 (2) the provisions in Chapter 554, Government Code;
13 and

14 (3) a prohibition, restriction, or requirement, as
15 applicable, imposed by this title or a rule adopted under this
16 title, relating to:

17 (A) the Public Education Information Management
18 System (PEIMS) to the extent necessary to monitor compliance with
19 this subchapter as determined by the commissioner;

20 (B) criminal history records under Subchapter C,
21 Chapter 22;

22 (C) reading instruments and accelerated reading
23 instruction programs under Section 28.006;

24 (D) accelerated instruction under Section
25 28.0211;

26 (E) high school graduation requirements under
27 Section 28.025;

(F) special education programs under Subchapter A, Chapter 29;

(G) bilingual education under Subchapter B, Chapter 29;

(H) prekindergarten programs under Subchapter E or E-1, Chapter 29, except class size limits for prekindergarten classes imposed under Section 25.112, which do not apply;

(I) extracurricular activities under Section 33.081;

(J) discipline management practices or behavior management techniques under Section 37.0021;

(K) health and safety under Chapter 38;

(L) the provisions of Subchapter A, Chapter 39;

(M) public school accountability and special investigations under Subchapters A, B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

(N) the requirement under Section 21.006 to report an educator's misconduct;

(O) intensive programs of instruction under Section 28.0213;

(P) the right of a school employee to report a crime, as provided by Section 37.148;

(Q) bullying prevention policies and procedures under Section 37.0832;

(R) the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;

(S) the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;

(T) a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

(U) establishment of residency under Section 25.001;

(V) school safety requirements under Sections 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085, 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071 and Subchapter J, Chapter 37;

(W) the early childhood literacy and mathematics proficiency plans under Section 11.185;

(X) the college, career, and military readiness plans under Section 11.186; ~~and~~

(Y) parental options to retain a student under Section 28.02124; and

(Z) the grievance procedure under Section 26.011.

SECTION 3. This Act applies beginning with the 2025-2026 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.