

BILL ANALYSIS

C.S.H.B. 890
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Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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 the school board administration with very little control and no timeline in which the matter will be resolved. C.S.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.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 890 amends the Education Code to require an independent school district's process for a complaint hearing by the district's board of trustees and administrators to include the following components:

- 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;
- unless otherwise provided by law, an initial administrative hearing and a subsequent opportunity to appeal the decision;
- unless otherwise agreed to by the parties, provision for a final decision on the complaint not later than 120 calendar days after the date the complaint was filed; and
- if a final decision 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.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 890 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes the following as required components of the complaint hearing process, which did not appear in the introduced:

- allowing 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; and
- requiring the district to immediately render a final decision in favor of the complainant if a final decision is not rendered before the 120th day after the date on which the complaint was filed.