

BILL ANALYSIS

Senate Research Center

H.B. 3315
By: Bell, Keith et al. (Creighton)
Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires the board of trustees of a public school district to adopt a grievance procedure to address each complaint the board receives concerning a violation of a parental right guaranteed under law. Parents have expressed a need for a fairer process so that their complaints to schools are addressed. Many independent school districts use model policies provided by advocacy organizations that prioritize protecting the district. While these policies do not necessarily violate parental rights, they are not written to ensure parent grievances are considered in a timely manner.

H.B. 3315 seeks to address this issue by establishing requirements for the content of a district's grievance procedure, requiring the grievance procedure to be posted online and provided to parents, and requiring the Texas Education Agency to adopt a model grievance procedure for use by districts.

H.B. 3315 amends current law relating to a school district's grievance procedure regarding complaints concerning violation of parental rights.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 26.011, Education Code, by adding Subsections (c), (d), and (e), as follows:

(c) Requires that the grievance procedure adopted under Subsection (a) (relating to requiring the board of trustees of each school district to adopt a grievance procedure under which the board is required to address each complaint that the board receives concerning violation of a right guaranteed by Chapter 26 (Parental Rights and Responsibilities)):

(1) provide for:

(A) a parent's complaint to be:

(i) filed in writing with the principal of the campus at which the parent's student is enrolled; and

(ii) considered timely regardless of when the conduct giving rise to the complaint occurred if the complaint alleges a violation of law or board policy that is continuous or ongoing;

(B) if the principal does not grant the requested relief, an appeal on written request to the district superintendent or the superintendent's designee that includes a review of all documents considered by the principal;

(C) if the superintendent or the superintendent's designee does not grant the requested relief, an appeal on written request to the board of trustees of the district that:

(i) includes a review of all documents considered by the principal and the superintendent or the superintendent's designee;

(ii) unless otherwise agreed to by the parties, is required to be finally decided not later than 120 calendar days after the date on which the request for the appeal was submitted; and

(iii) if a final decision is not rendered before the date described by Subparagraph (ii), requires the board to immediately render a final decision on the complaint in favor of the parent; and

(D) if the board of trustees of the district does not grant the requested relief, notice to the parent regarding the parent's right to file an appeal with the commissioner of education (commissioner) under Section 7.057 (Appeals); and

(2) be:

(A) posted in a prominent location on the district's Internet website, along with instructions on how a parent is authorized to file a complaint; and

(B) provided in English and Spanish to the parent of each student enrolled in the district at the beginning of each school year and on request.

(d) Requires the Texas Education Agency (TEA) to:

(1) adopt a model grievance procedure for use by school districts under Section 26.011 (Complaints); and

(2) post on TEA's Internet website a copy of the model grievance procedure and general guidelines regarding how a parent is authorized to file a complaint with a school district under this section or appeal a district's decision to the commissioner under Section 7.057.

(e) Requires the board of trustees, if the board of trustees of a school district, during the investigation of a grievance, discovers an unreported violation of a right guaranteed by this chapter or board policy concerning those rights, to open a new investigation into the unreported violation.

SECTION 2. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 3. Effective date: upon passage or September 1, 2023.