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H.B. No. 890

A BILL TO BE ENTITLED

AN ACT

relating to a process adopted by a school district regarding  
complaints and hearings on complaints.

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

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

(b) The board shall:

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

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

(3) establish performance goals for the district  
concerning:

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

(B) any performance indicators adopted by the  
district;

(4) ensure that the superintendent:

(A) is accountable for achieving performance  
results;

(B) recognizes performance accomplishments; and

(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.