

By: Hughes

S.B. No. 813

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of grievance boards with concurrent
3 jurisdiction over certain appeals involving the administration of
4 public education.

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

6 SECTION 1. Chapter 8, Education Code, is amended by adding
7 Subchapter F to read as follows:

8 SUBCHAPTER F. GRIEVANCE BOARDS

9 Sec. 8.201. DEFINITION. In this subchapter, "grievance
10 board" means a grievance board established under this subchapter by
11 the executive director of a regional education service center.

12 Sec. 8.202. ESTABLISHMENT. The executive director of each
13 regional education service center shall establish and operate a
14 grievance board. A grievance board shall exercise jurisdiction
15 only within the regional boundaries of the center, as established
16 by the commissioner under Section 8.001(c).

17 Sec. 8.203. COMPOSITION. A grievance board is composed of
18 five members appointed by the executive director of each regional
19 education service center as follows:

20 (1) one member who is a school administrator employed
21 by a school district served by the center;

22 (2) two members who are classroom teachers employed by
23 a school district served by the center; and

24 (3) two members who are parents of students attending

1 public schools located in a school district served by the center.

2 Sec. 8.204. DUTIES AND POWERS. (a) A person may appeal in
3 writing to a grievance board established under this subchapter a
4 grievance over which the board has jurisdiction in the same manner
5 in which an appeal is made to the commissioner under Section 7.057,
6 as provided by Subsection (b).

7 (b) A grievance board has concurrent jurisdiction with the
8 commissioner regarding a grievance that may be appealed under
9 Section 7.057 if:

10 (1) the person aggrieved resides within the regional
11 boundaries of the regional education service center;

12 (2) the grievance involves:

13 (A) an action or decision of the board of
14 trustees of a school district served by the regional education
15 service center;

16 (B) the school laws of this state; or

17 (C) a provision of a written employment contract
18 between a school district served by the regional education service
19 center and a school district employee, if the violation causes or
20 would cause monetary harm to the employee; and

21 (3) the person aggrieved appeals to the grievance
22 board not later than the 60th day after the person exhausts the
23 person's options under the grievance procedure established by the
24 board of trustees of a school district under Section 26.011.

25 (c) Except as provided by Subsection (d) and subject to
26 Subsection (e), a grievance board shall hold a hearing and issue a
27 decision without cost to the parties involved not later than the

1 60th day after the date an appeal is filed with the grievance board.

2 (d) Subject to Subsection (e), in an appeal involving the
3 actions or decisions of the board of trustees of a school district,
4 a grievance board shall, not later than the 90th day after the date
5 the appeal is filed, hold a hearing and issue a decision based on a
6 review of the record developed at the district level under a
7 substantial evidence standard of review.

8 (e) The parties to an appeal to a grievance board may agree
9 in writing to extend, by not more than 30 days, the period for a
10 hearing and decision under Subsection (c) or (d), as applicable.

11 (f) A grievance board may issue a decision only by the
12 majority vote of its members.

13 (g) A person is not required to appeal to a grievance board
14 before:

15 (1) appealing to the commissioner under Section 7.057;

16 or

17 (2) pursuing a remedy under a law:

18 (A) outside of Title 1 or this title to which
19 Title 1 or this title makes reference; or

20 (B) with which Title 1 or this title requires
21 compliance.

22 (h) A person may file an appeal either with a grievance
23 board established under this subchapter or with the commissioner
24 under Section 7.057, but may not file an appeal with respect to the
25 same grievance with both a grievance board and the commissioner.

26 Sec. 8.205. HEARINGS. In conducting a hearing under this
27 subchapter, each member of a grievance board has the same authority

1 relating to discovery and conduct of a hearing as a hearing examiner
2 has under Subchapter F, Chapter 21.

3 Sec. 8.206. OFFICERS. A grievance board shall elect from
4 among its members by a majority vote the chair of the board. The
5 chair serves a term of one year.

6 Sec. 8.207. TERM OF OFFICE. The board members serve
7 staggered terms of two years, with the terms of two members expiring
8 on January 1 of each even-numbered year and the terms of three
9 members expiring on January 1 of each odd-numbered year.

10 Sec. 8.208. GROUNDS FOR REMOVAL OF BOARD MEMBER. (a) It is
11 a ground for removal from a grievance board that a member:

12 (1) commits malfeasance of office;

13 (2) cannot, because of illness or disability,
14 discharge the member's duties for a substantial part of the member's
15 term;

16 (3) is absent from more than half of the regularly
17 scheduled board meetings that the member is eligible to attend
18 during a calendar year, unless the absence is excused by majority
19 vote of the board;

20 (4) does not have at the time of appointment the
21 qualifications required by Section 8.203; or

22 (5) does not maintain during service on the board the
23 qualifications required by Section 8.203.

24 (b) The validity of an action of a grievance board is not
25 affected by the fact that it was taken when a ground for removal of a
26 board member existed.

27 Sec. 8.209. COMPENSATION AND REIMBURSEMENT. A member of a

1 grievance board is not entitled to compensation from the regional
2 educational service center but is entitled to reimbursement with
3 center funds for necessary expenses incurred in performing duties
4 as a board member.

5 Sec. 8.210. JUDICIAL REVIEW. (a) A person aggrieved by a
6 board's decision may appeal to a district court with jurisdiction
7 over the county in which the regional education service center that
8 established the grievance board is located.

9 (b) If the aggrieved party is a school district, the appeal
10 may be filed in a district court with jurisdiction over the county
11 in which the school district is located.

12 (c) An appeal under this section must be made by serving the
13 board's chair with citation issued and served in the manner
14 provided by law for civil suits. The petition must state the action
15 or decision from which the appeal is taken. At trial, the court
16 shall determine all issues of law and fact, except as provided by
17 Section 33.081(g).

18 SECTION 2. (a) Not later than January 1, 2026, each
19 executive director of a regional education service center shall:

20 (1) provide for the establishment and operation of a
21 grievance board, as required by Section 8.202, Education Code, as
22 added by this Act; and

23 (2) appoint the members of the center's grievance
24 board, as required by Section 8.203, Education Code, as added by
25 this Act.

26 (b) A grievance board established under Subchapter F,
27 Chapter 8, Education Code, as added by this Act, may not take action

1 until a majority of the members of the board have taken office.

2 SECTION 3. This Act applies only to an appeal brought on or
3 after the effective date of this Act. An appeal brought before the
4 effective date of this Act is covered by the law in effect on the
5 date the appeal was brought, and the former law is continued in
6 effect for that purpose.

7 SECTION 4. This Act takes effect September 1, 2025.