

EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE E. STUDENTS AND PARENTS
CHAPTER 26A. GRIEVANCE POLICY

Sec. 26A.001. GRIEVANCE POLICY. (a) The board of trustees of a school district shall adopt a grievance policy to address grievances received by the district.

(b) The policy must provide for the following levels of review, subject to Subsection (c):

(1) review by:

(A) the principal of the school district campus at which the grievance is filed or the principal's designee; or

(B) for a grievance that arises from subject matter unrelated to a campus, an administrator at the school district's central office;

(2) if established by the policy, an appeal to an administrator at the school district's central office;

(3) an appeal to the superintendent of the school district or the superintendent's designee; and

(4) an appeal to the board of trustees of the school district.

(c) A review or appeal on a grievance must be conducted by a person with the authority to address the grievance unless a preliminary hearing is necessary to develop a record or a recommendation for the board of trustees of the school district.

(d) The board of trustees of a school district may delegate the authority to hear and decide a grievance to a committee of at least three members composed only of members of the board of trustees. For purposes of an appeal to the commissioner under Section [7.057](#), a decision by the committee is a decision of the board of trustees. Subsection (e) applies to the committee in the same manner as that subsection applies to the board of trustees.

(e) The policy must:

(1) prohibit the board of trustees of the school district or a district employee from retaliating against a student or parent of or person standing in parental relation to a student

who files a grievance in accordance with the policy;

(2) require a person involved in reviewing a grievance under the policy to recuse himself or herself from reviewing the grievance if the person is the subject of the grievance;

(3) provide for a higher level of review under Subsection (b) if the person who would otherwise review the grievance is required to recuse himself or herself under Subdivision (2);

(4) provide for the creation and retention of a record of each hearing on the grievance, including:

(A) documents submitted by the person who filed the grievance or determined relevant by school district personnel; and

(B) a written record of the decision, including an explanation of the basis for the decision and an indication of each document that supports the decision;

(5) allow the person who filed the grievance to supplement the record with additional documents or add additional claims;

(6) allow for a member of the board of trustees of the school district to file a grievance with the district, but prohibit the member from voting on matters related to that grievance;

(7) allow for a remand to a lower level of review under Subsection (b) to develop a record at any time, including at the board of trustees level of review;

(8) require the school district to direct a grievance that is filed with the incorrect administrator to the appropriate administrator and consider the grievance filed on the date on which the grievance was initially filed;

(9) require the school district to issue a decision on the merits of the concern raised in the grievance, notwithstanding procedural errors or the type of relief requested;

(10) unless otherwise required by law, allow for a hearing or meeting at which the grievance will be discussed to be open or closed at the request of the person who filed the grievance; and

(11) for a grievance before the board of trustees of

the school district, require that:

(A) the person who filed the grievance be provided at least five business days before the date on which the meeting to discuss the grievance will be held a description of any information the board of trustees intends to rely on that is not contained in the record; and

(B) the meeting at which the grievance is discussed be recorded by video or audio recording or by transcript created by a certified court reporter.

(f) If a grievance is appealed to the commissioner under Section 7.057, the commissioner may:

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

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

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

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

(h) Not later than December 1 of each year, the agency shall post on the agency's Internet website a report on grievances filed in school districts during the preceding year. The report must aggregate the data statewide and state:

(1) the number of grievances filed;

(2) the number of grievances resolved and the resolution of those grievances; and

(3) any corrective actions taken.

(i) If the commissioner determines that a school district educator has retaliated against a student or parent of or person standing in parental relation to a student in violation of Subsection (e)(1), the commissioner may report the educator to the State Board for Educator Certification for investigation.

Added by Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 20, eff. September 1, 2025.

Sec. 26A.002. TIMELINES FOR FILING AND APPEAL. The policy adopted under Section 26A.001 must:

(1) provide at least:

(A) for a grievance filed by a parent of or person standing in parental relation to a student enrolled in the school district:

(i) 60 days to file a grievance from the date on which the parent or person knew or had reason to know of the facts giving rise to the grievance; or

(ii) if the parent or person engaged in informal attempts to resolve the grievance, the later of 90 days to file a grievance from the date described by Subparagraph (i) or 30 days to file a grievance from the date on which the district provided information to the parent or person regarding how to file the grievance; and

(B) 20 days to file an appeal after the date on which a decision on the grievance was made;

(2) for a hearing that is not before the board of trustees of the school district, require:

(A) the district to hold a hearing not later than the 10th day after the date on which the grievance or appeal was filed; and

(B) a written decision to be made not later than the 20th day after the date on which the hearing was held that includes:

(i) any relief or redress to be provided; and

(ii) information regarding filing an appeal, including the timeline to appeal under this section and Section 7.057, if applicable; and

(3) for a hearing before the board of trustees of the school district, require the board of trustees to:

(A) hold a meeting to discuss the grievance not later than the 60th day after the date on which the previous

decision on the grievance was made; and

(B) make a decision on the grievance not later than the 30th day after the date on which the meeting is held under Paragraph (A).

Added by Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 20, eff. September 1, 2025.

Sec. 26A.003. POSTING OF PROCEDURES AND FORMS. (a) The board of trustees of a school district shall develop, make publicly available in a prominent location on the district's Internet website, and include in the district's student handbook:

- (1) procedures for resolving grievances;
- (2) standardized forms for filing a grievance, a notice of appeal, or a request for a hearing under this chapter; and
- (3) the method by which a grievance may be filed electronically.

(b) A school district shall ensure that a grievance may be submitted electronically at the location on the district's Internet website at which the information described by Subsection (a) is available.

(c) A school district shall submit and make accessible to the agency the location on the district's Internet website at which the information described by Subsection (a) is available.

Added by Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 20, eff. September 1, 2025.

Sec. 26A.004. TESTIMONY BEFORE STATE BOARD OF EDUCATION. If the commissioner finds against a school district under Section 7.057 in at least five grievances to which that section applies involving the district during a school year, the superintendent of the school district must appear before the State Board of Education to testify regarding the commissioner's findings and the frequency of grievances against the district.

Added by Acts 2025, 89th Leg., R.S., Ch. 1125 (S.B. 12), Sec. 20, eff. September 1, 2025.