

Hearings Before an Independent Hearing Examiner (IHE)

The school district must provide written notice of non-renewal to teachers no later than **10 calendar days** before the last day of instruction. (Texas Education Code § 21.206)

If applicable, the teacher may request a hearing with an Independent Hearing Examiner (“IHE”). (Texas Education Code § 21.251)

1. To request a hearing with an IHE the teacher may file a written request for a hearing and include the notice of non-renewal received from the district no later than the **15 calendar days** after the date teacher received the notice of non-renewal. (Texas Education Code § 21.253). The request may be sent to Texas Education Agency, Office of Legal Services by fax, hand delivery, first-class mail or overnight mail. At the time of filing a request for an IHE, the teacher must submit a courtesy copy to the district.
 - Requests must be sent to Texas Education Agency, Division of Hearings & Appeals, 1701 N. Congress Ave., Austin, Texas 78701, electronic filing (link on webpage), Email to Christina.Eischens@tea.texas.gov, or by fax to (512) 475-3662.
 - Your request must include your contact information (i.e., phone number, fax number, email and mailing address) so that our office and the hearing examiner can contact you.
2. On the 6th business day, after receipt of the request for hearing, the matter will be assigned to an IHE. Parties will be notified of the hearing examiner by facsimile and/or certified mail. If parties agree on an IHE, parties must notify the commissioner before the **6th business day**. The notice must include the name and contact information of the hearing examiner that the parties agreed to use. If for any reason the parties agree to reject the hearing examiner assigned by the commissioner, a rejection must be filed in writing no later than **3 calendar days** after the date on the notification of assignment. (Tex. Edu. Code § 21.254). Once the case is assigned to an IHE, the IHE will be the main point of contact throughout the proceedings.
3. The hearing examiner shall complete the hearing and make a written recommendation no later than **60 calendar days** after the date the request for hearing was received by TEA. However, parties may agree to extend the written recommendation deadline by not more than **45 calendar days**. (Texas Education Code § 21.257).
4. Once the hearing is held and the IHE has prepared their recommendation, they will send a copy of the recommendation to all parties including the Commissioner of Education.
5. The school board will hold a board meeting within **20 calendar days** after receipt of the IHE’s recommendation. The Board will announce their decision not later than **10 calendar days** after the date of the board meeting. (Texas Education Code § 21.258)
6. Teachers can appeal the decision to the Commissioner. (See Instructions on Appeal IHE and Board Decision to the Commissioner, Petition for Review).