

Ch 21 Appeal Process
(Texas Education Code § 21.301)

Once an IHE and School Board announce its decision not to renew the teacher's contract, the teacher may appeal the decision by filing a Petition for Review with the Commissioner.

1. The Petition for Review must be filed with TEA not later than **20 calendar days** after the teacher received the board decision. The Petition for Review may be sent to Texas Education Agency, Office of General Counsel, Hearings and Appeals Division by fax, hand delivery, first-class mail or overnight mail. The Petition for Review must include a certificate of service showing a courtesy copy was sent to the school district. (Texas Education Code § 21.301(a))
2. Upon receipt of the Petition for Review TEA will issue an acknowledgement letter to all parties which provides the case style, docket number and deadlines.
3. The School District must file a response/answer with the local record within **20 calendar days** from the date the Petition for Review was filed with TEA. (Texas Education Code § 21.301(b))
4. Petitioner's Brief will be due **21 calendar days** prior to the Commissioner's Decision deadline.
5. Respondent's Brief will be due **14 calendar days** prior to the Commissioner's Decision deadline.
6. Petitioner's Reply Brief will be due **7 calendar days** prior to the Commissioner's Decision deadline.
7. The Commissioner will issue a decision not later than **30 calendar days** after the last day on which a response to the Petition for Review may be filed. (Texas Education Code § 21.304(b)).
 - The Commissioner Decision will be sent to all parties and/or their representatives by certified mail. (Texas Education Code § 21.304(c))
8. A motion for rehearing must be filed no later than **20 calendar days** after the date the party receives the commissioner's decision. (Texas Education Code § 21.3041(a). The motion for rehearing is denied by operation of law if the commissioner does not issue an order before 45 calendar days from receipt of the notice of rehearing. (Texas Education Code § 21.305(c).

Either party may appeal the Commissioner's Decision to the District Court. The appeal must be filed no later than **30 calendar days** after the party receives notice of the Commissioner's Decision or the date on which the request for rehearing is denied. (Texas Education Code § 21.307)