

General Description:

A formal complaint to TEA must allege non-compliance with either federal or state laws or rules that are under the investigative jurisdiction of TEA. Individuals may file either a [special education complaint form](#) under IDEA (which must be signed and sent to the entity) or a [general education complaint form](#). All complaints must be in writing and must include the facts and any supporting documentation on which the allegation is based. TEA may choose not to review complaints alleging violations that occurred more than one calendar year for special education violations under IDEA or two calendar years before the complaint is filed for general education violations (due to document retention schedule requirements for [local entities](#).)

Who may file a complaint?

Any person, group of individuals, or organization may file a complaint. Although some anonymous complaints cannot be investigated (due to relevant statute or rule requirements), TEA does review anonymous reports of violations involving the following:

- Administration of tests in the state assessment program
- Information or data fraud for school accountability
- Fraud in state and federal programs and funds

Evidence of Local Process Attempt Required for Certain Violations:

The school entity is likely the appropriate entity to resolve many concerns in the most efficient way regarding certain state law requirements, although the issue could fall within the investigative jurisdiction of TEA. Therefore, TEA requires complainants to provide evidence of an attempt at local resolution for the following allegations:

- Access to Student Records
- Bullying Prevention Measures
- Child Custody Issues
- Curriculum Issues
- Duty-Free Lunch/Planning Period
- Grading Policies/Credit by Exam
- Individual Student/Teacher Issues
- Local Grievance Process
- Public Information Requests
- Sexual Harassment Policies
- Staff Service Records
- Student Discipline Issues
- Suicide Prevention Measures
- Transportation Issues
- Trespass Warnings
- Truancy Prevention Measures

Tea Jurisdiction Review Process:

TEA will address the issues in complaints that fall within the agency's jurisdiction upon receipt of all requested information and within the scope of the agency's investigative authority. If the Jurisdiction Review Unit identifies issues that would be more appropriately addressed by another entity, staff will provide the complainant with information on how to file your concerns directly with the entity for further review. TEA may contact the complainant at a later date if additional information is needed to review the complaint. After the complaint is reviewed, the Complaints Management team will provide a specific reference number for the complaint, and the complainant will be informed if additional action will be taken by TEA.

What happens in a Compliance Review or Investigation?

If an investigation is authorized, TEA will send a written notice of the allegation to the appropriate district official. TEA collects additional information to determine whether a violation has occurred. After a preliminary review, TEA notifies parties of the disposition of the complaint. By rule, TEA must provide districts with an opportunity for informal review or educators an opportunity to participate in a conference before pursuing sanctions against them unless they agree to accept a sanction. At the conclusion of a review, a complaint resolution letter or investigation report is issued to the public education agency and complainant, if known.

Complaints at a Glance

Fiscal Year 2022

- * 2, 278 complaints received
- * 1, 088 complaints referred to local grievance process

What is a complaint?

A complaint is a written claim that an entity or individual does not follow school laws or rules that are within TEA's investigative jurisdiction.

Submitting a complaint to TEA Complaints Management after you have exhausted the local grievance process (Levels One-Three) does not meet requirements as an Appeal to the Commissioner of Education under TEC §7.057.

Authority:

Investigations are typically conducted under [Chapter 21](#) (educators and educator preparation programs) and [Chapter 39 \(special investigations\)](#), of the Texas Education Code or [federal authority](#) (special education investigations). Reviews are conducted under 19 Tex. Admin. Code [Ch. 157](#) (for special investigations), [Ch. 249](#) (for educator investigations) and [Ch. 89](#) for special education investigations.