

KARA BELL,
Petitioner,

v.

LAKE TRAVIS INDEPENDENT SCHOOL
DISTRICT,
Respondent.

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BEFORE THE

COMMISSIONER OF EDUCATION

THE STATE OF TEXAS

DECISION OF THE COMMISSIONER

STATEMENT OF THE CASE

Petitioner, a parent in Respondent Lake Travis Independent School District, filed this April 7, 2025 appeal, along with six other related appeals, with the Texas Commissioner of Education. Petitioner challenges Respondent’s school board’s February 19, 2025 decision on her grievances. Petitioner asserts that by denying her underlying October 23, 2024 grievance,¹ the board violated Texas Education Code sections 11.151(b), 11.1511(b)(13), 26.001, and 44.031. In addition, she asserts violations of the U.S. and Texas constitutions; Texas Government Code chapter 552 (the Texas Public Information Act or “PIA”); and Texas Penal Code section 32.45.² Respondent denies error and asserts that the Commissioner lacks jurisdiction over Petitioner’s complaints.

Adrienne Butcher is the Administrative Law Judge assigned to this case. Petitioner proceeds *pro se*. Respondent is represented by its counsel, Amber K. King and Phillip Ericksen, of Thompson & Horton LLP, in Austin, Texas.

Because Petitioner fails to establish the Commissioner’s jurisdiction over some claims and waives some claims, the Commissioner dismisses this appeal.

FINDINGS OF FACT

After due consideration of the record and matters officially noticed, I find that the pleadings and record in this case establish the following Findings of Fact:

¹ Respondent consolidated Petitioner’s October 23, 2024 grievance with two other grievances that Petitioner filed on, respectively, October 22, 2024, and November 4, 2024, finding they related to the same event or series of events.

² For relief, Petitioner asks the Commissioner to reverse the board’s decision; require certain trustees to issue a public apology for violating the PIA, Education Code section 26.001, and for fraudulent conduct; direct the board to report certain individuals to “proper authorities”; order a forensic audit of Respondent’s financial records; replace two trustees; and declare the board’s denial of her grievance a violation of school laws, including imposing sanctions.

1. Petitioner is a parent in Respondent's school district. In response to a January 16, 2024 grievance that Petitioner and another parent filed alleging financial misconduct by various district administrators, Respondent hired a third-party auditor to perform a forensic accounting audit. After the auditor completed its audit, Petitioner filed a September 26, 2025 grievance complaining that the audit did not fully address her complaints, which included bond misuse. Respondent again hired the third-party auditor, which issued a second report that did not substantiate Petitioner's allegations.

2. After the first audit report, Petitioner filed several grievances in or around December 2024 under Respondent's Policy FNG (Local). In the October 23, 2024 grievance underlying this appeal, which concerned a shipment of Crayola pens to an executive assistant's residence, Petitioner complained that Respondent withheld information that she had requested about shipments under the Public Information Act and the Texas Education Code. Specifically, she complained it did not provide a receipt for a second shipment of pens.

3. By November 5, 2024 emailed letter, Respondent's then-superintendent notified Petitioner that it was consolidating her grievance with two similar grievances and that Respondent would hear the consolidated grievances at Level 3.

4. By February 11, 2025 email, Respondent notified Petitioner that it had placed thirteen grievances she had filed, including the consolidated grievance underlying this appeal, on the board's agenda for its February 19, 2025 meeting.³

5. On February 19, 2025, the board heard Petitioner's grievance appeals in closed session. The board reconvened in open session and unanimously voted to deny the Level 3 appeals for each of Petitioner's grievances, identifying each grievance for the board's vote by the grievance's respective filing date.

6. Petitioner appealed to the Commissioner on April 7, 2025.

³ The grievances before the board were filed on (1) September 26, 2024; (2) October 22, 2024; (3) October 23, 2024; (4) November 4, 2024; (5) November 21, 2024; (6) November 22, 2024; (7) December 5, 2024; (8) December 19, 2024; (9) January 22, 2025; (10) January 27, 2025; (11–12) February 4, 2025 (2); and (13) February 5, 2025.

7. On May 7, 2025, Respondent filed a Motion to Dismiss, Objection to Exhibits, and Answer to Petitioner's Original Petition for Review. On the same date, Respondent filed the local record.

8. The Administrative Law Judge held a June 9, 2025 joint prehearing conference on the seven pending appeals that Petitioner has filed, either individually or with a co-petitioner, with the Commissioner from the underlying grievance decisions.

9. Based on the number of appeals and on scheduling restrictions,⁴ the Administrative Law Judge issued an August 1, 2025 Order setting a briefing schedule for all pending appeals Petitioner and her co-petitioner had filed. The Order pointed the parties to the Commissioner's briefing rules, which the Agency had previously sent to the parties when Petitioner filed her appeal, and admonished the parties that "each brief should cite only to the local record filed in that appeal."

10. Petitioner did not file her brief on her August 29, 2025 deadline set by the August 1, 2025 Order.

11. On September 25, 2025, Respondent filed a second Motion to Dismiss based on Petitioner's failure to brief.

12. On September 26, 2025, Petitioner requested a deadline extension for her brief to October 6, 2025, basing her request on the death of an immediate family member. Respondent did not oppose Petitioner's request for extension. To accommodate the extension, both parties agreed to extend the Commissioner's decision deadline.

13. The Administrative Law Judge granted Petitioner's requested extension by September 29, 2025 Order.

14. On October 6, 2025, Petitioner filed her five-page brief, including one attachment, which was her Level 1 grievance contained in pages 3–7 of the local record.

15. Based on the briefing and the record in this case, the Administrative Law Judge issued a Proposal for Decision recommending dismissal of this appeal. Petitioner did not file exceptions.

⁴ Petitioner initially opposed an extension of the Commissioner's decision deadline under section 7.057(c).

DISCUSSION

The Commissioner's appellate jurisdiction

Petitioner asserts jurisdiction under Texas Education Code section 7.057(a)(2)(A). Under that section, the Legislature authorized the Commissioner to hear appeals from school board actions and decisions that are alleged to violate the school laws of this state, defined as titles 1 and 2 of the Texas Education Code and their implementing rules. Tex. Educ. Code § 7.057(a)(2)(A), (f)(2).

Timeliness of appeal

Respondent sought dismissal of Petitioner's appeal as untimely, arguing that Petitioner did not file her appeal within forty-five days of the board's February 19, 2025 decision. *See* 19 Tex. Admin. Code § 157.1049(a), (e) (setting 45-day filing deadline and requiring dismissal of late appeals). Respondent correctly notes that the forty-fifth day after February 19, 2025, was April 5, 2025, and Petitioner filed her appeal on April 7, 2025. However, April 5, 2025, was a Saturday. The Commissioner's hearings rules adopt the Texas Rules of Civil Procedure, except where the Commissioner's rules modify them. 19 Tex. Admin. Code § 157.1041(a). Texas Rule of Civil Procedure 4 provides that in computing time, the last day of a period is included, unless it is a Saturday, Sunday, or legal holiday. Tex. R. Civ. P. 4. Because April 7, 2025, is the next day after April 5 that is not a Saturday, Sunday, or legal holiday, that is the appellate deadline. Petitioner timely filed her appeal.

School laws of this state

Petitioner asserts several claims that are outside the school laws of this state, including her claims based on the U.S. and Texas constitutions, Texas Penal Code section 32.45, and the Texas Public Information Act, contained in Texas Government Code Chapter 552. None of these claims involve the school laws of this state. *See* Tex. Educ. Code § 7.057(a)(2)(A), (f)(2). In her brief, Petitioner concedes that these claims "are not independently cognizable" under section 7.057(a)(2)(A) but "are contextual facts." To the extent Petitioner asserts claims based on the U.S.

and Texas constitutions, the Texas Penal Code, and the Texas Government Code, these claims are dismissed for lack of jurisdiction. 19 Tex. Admin. Code § 157.1056(a).

Petitioner's claims that are based on the school laws of this state are addressed below.

Texas Education Code section 11.151(b)

Petitioner argues that the board violated section 11.151(b), which provides that “the trustees as a body corporate have the exclusive power and duty to govern and oversee the management of the public schools of the district.” Tex. Educ. Code § 11.151(b).

To establish this claim, in a single paragraph in her brief, Petitioner argues:

[Respondent's] trustees allegedly ignored evidence of PIA noncompliance and potential misappropriation of funds, constituting a failure of lawful governance under § 11.151(b). The Commissioner has jurisdiction to review whether a board's denial violated statutory oversight duties.

Petitioner provides no argument or supporting citations to the record or to legal authorities to support this conclusory statement. Her briefing on this issue is inadequate; the Commissioner, in reviewing her claims, cannot construct her arguments for her and examine the record for their evidentiary support. Failure to adequately brief an issue waives the issue for appellate review. *Parent A/N/F Student v. Fort Bend Indep. Sch. Dist.*, No. 062-R10-06-2024 (Comm'r Educ. 2025). Accordingly, Petitioner's section 11.151(b) claim is dismissed as waived. 19 Tex. Admin. Code § 157.1056(a).

Texas Education Code section 11.1511(b)(13)

Petitioner argues in her brief that Respondent violated section 11.1511(b)(13) because her grievance “remained pending over a year and was combined and denied without fair process, pleading a procedural defect that the Commissioner can address through remand.” Section 11.1511(b)(13) requires school districts to adopt a grievance process for parties to obtain administrative and board hearings on complaints. Petitioner does not claim that Respondent failed to adopt such a process but instead complains about alleged delays and grievance consolidation.

Regarding Petitioner’s allegations of delayed hearings, she cites no school law then in effect that required Respondent to process her grievances within a certain time period.⁵ Moreover, the record reflects that she filed the underlying grievance on October 23, 2024, and after its consolidation with two other grievances Petitioner filed in October and November 2024, the board heard these grievances, along with numerous others Petitioner filed, less than four months later on February 19 2024.⁶ The board heard the grievances over approximately three hours. These facts do not support Petitioner’s claim that Respondent denied her a fair hearing. Regarding Petitioner’s objections to consolidation of grievances, the Education Code does not prohibit school districts from consolidating related grievances for efficiency. Accordingly, Petitioner’s section 11.1511(b)(13) claim is dismissed. 19 Tex. Admin. Code § 157.1056(a).

Texas Education Code section 26.001

Petitioner argues that the board violated Education Code section 26.001. The Commissioner has previously held that because section 26.001 contains broad, aspirational statements of purpose, section 7.057 appeals asserting violations of this statute generally can be brought only in conjunction with another claim based on a Chapter 26 parental right. *See Parent v. Klein Indep. Sch. Dist.*, Docket No. 002- R10-09-2023 (Comm’r Educ. 2024); *Parent A/N/F Student v. Frisco Indep. Sch. Dist.*, No. 035-R10-04-2023 (Comm’r Educ. 2023); *Parents v. Educ. United Indep. Sch. Dist.*, No. 035-R10-03-2018 (Comm’r Educ. 2018). Petitioner does not assert another claim based on Chapter 26.

In support of her section 26.001 claim, Petitioner cites the Commissioner’s decision in *Parents v. Socorro Independent School District*, No. 039-R10-05-2020 (Comm’r Educ. 2020),

⁵ After Petitioner’s grievance hearing concluded and the board issued its February 19, 2025 decision, the Legislature adopted Texas Education Code Chapter 26A. That new legislation establishes some timelines for school district grievance processes. *See* Tex. Educ. Code § 26A.002. In addition, the Legislature adopted Education Code section 1.007, which requires school districts to implement and comply with policies they are legally required to adopt, including grievance policy deadlines. Tex. Educ. Code § 1.007(b). These changes became effective on September 1, 2025.

⁶ Petitioner cites *Ermine v. Neches Independent School District*, 028-R10-02-2021 (Comm’r Educ. 2021), for the proposition that grievance rights must be meaningful and “cannot be nullified by unreasonable delay or obstruction.” Petitioner does not cite to the portion of this decision that she references, and a review of the decision does not support her construction.

arguing that in that case, the Commissioner found a 26.001(c) violation where the school district's procedures unreasonably restricted parent participation. However, that case does not address section 26.001. On her section 26.001 claim, Petitioner argues, in full,

Here, [Respondent's] alleged delay, omission and redaction of records related to the Level 1 Grievance [sic] filed on October 23, 2025 (Exhibit 1) alleged misuse of bond funds directly obstructed Petitioner's partnership rights by withholding information necessary to protect her child's interests and ensure lawful district operation. These allegations fall squarely within § 26.001 and the Commissioner's jurisdiction.

Petitioner presents no citations to the record or to authorities on this claim. Her complaint is based on a Public Information Act request for records about Respondent's financial transactions, which does not implicate Chapter 26 simply based on Petitioner's status as a district parent. Petitioner's section 26.001 claim is dismissed. 19 Tex. Admin. Code § 157.1056(a).

Texas Education Code section 44.031

Petitioner asserts in her pleading that the board violated section 44.031 by ignoring illegal fund use allegations in another grievance. However, she did not address this claim in her brief, waiving it for appellate review. *See Fort Bend Indep. Sch. Dist.*, No. 062-R10-06-2024.

Conclusion

For all the foregoing reasons, Petitioner's appeal is dismissed for lack of jurisdiction and for waiver. 19 Tex. Admin. Code § 157.1056(a).

CONCLUSIONS OF LAW

After due consideration of the record, matters officially noticed, and the foregoing Findings of Fact, in my capacity as Commissioner of Education, I make the following Conclusions of Law.

1. The Commissioner lacks jurisdiction over this appeal. Tex. Educ. Code § 7.057(a)(2)(A).
2. The Commissioner lacks section 7.057(a)(2)(A) jurisdiction over claims based on the U.S. and Texas constitutions, the Texas Penal Code, and the Texas Government Code, as these claims are not based on the school laws of this state. *See* Tex. Educ. Code § 7.057(a)(2)(A), (f)(2).

3. Petitioner makes only a conclusory argument for her section 11.151(b) claim with no citations to the record or to authorities. Petitioner's failure to adequately brief this claim waives it for appellate review. *Parent A/N/F Student v. Fort Bend Indep. Sch. Dist.*, No. 062-R10-06-2024 (Comm'r Educ. 2025).

4. Petitioner waived her claim based on Education Code section 11.1511(b)(13). Respondent has a local grievance policy, Policy FNG (Local), that Petitioner used to present her complaints to the board.

5. Section 26.001 is a broad, aspirational statute, violations of which generally can be brought only in conjunction with another claim based on a Chapter 26 parental right. *See Parent v. Klein Indep. Sch. Dist.*, Docket No. 002- R10-09-2023 (Comm'r Educ. 2024). Petitioner does not assert another Chapter 26 right but instead asserts a Public Information Act claim over which the Commissioner lacks section 7.057(a)(2)(A) jurisdiction.

6. Petitioner waived her Education Code section 44.031 claim by failing to address it in her brief. *Fort Bend Indep. Sch. Dist.*, No. 062-R10-06-2024.

7. Petitioner's appeal is dismissed.

ORDER

After due consideration of the record, matters officially noticed and the foregoing Findings of Fact and Conclusions of Law, in my capacity as Commissioner of Education, it is hereby ORDERED that the Petitioner's appeal be, and is hereby, DISMISSED.

SIGNED AND ISSUED this 12th day of January 2026.

Mike Morath Digitally signed by Mike Morath
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MIKE MORATH
COMMISSIONER OF EDUCATION