

LAKE TRAVIS INDEPENDENT SCHOOL  
DISTRICT,



COMMISSIONER OF EDUCATION

## 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 grievance. In her grievance, Petitioner complained about board president Erin Archer’s appointment of interim superintendent Pam Sanchez, who Petitioner asserts Trustee Archer knew was the subject of several grievances alleging corruption. Petitioner asserts that by denying her grievance, 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 Respondent’s Policy BBFA (Legal); Texas Local Government Code 171.004; the U.S. and Texas constitutions; and Texas Penal Code section 32.45. For relief, Petitioner asks the Commissioner to reverse the board’s decision, require Trustee Archer to issue a public apology, remove Trustee Archer from the board, order the interim superintendent to be reported “to proper authorities,” mandate a full investigation into Respondent’s alleged corruption, and declare the board’s vote a violation of school laws, “imposing sanctions to enforce accountability and lawful governance.”

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 on some claims, waives some claims, and fails to state facts that could support some claims, the Commissioner dismisses Petitioner's 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. Petitioner is a parent in Respondent's school district. In response to a January 16, 2024 grievance that Petitioner and another parent filed with Respondent alleging financial misconduct, Respondent hired a third-party auditor to conduct a forensic accounting audit. The auditor issued an audit summary and later conducted a second audit over Petitioner's concerns.

2. After the audit summary issued, Petitioner filed several grievances under Respondent's Policy FNG (Local). In the grievance underlying this appeal, Petitioner complained that Trustee Archer "just doubled down on the fraud and coverup" by appointing Pam Sanchez as acting superintendent on December 17, 2024, despite Sanchez's alleged misconduct. Petitioner sought Trustee Archer's formal apology and resignation. She also sought accountability for Sanchez "to the laws she violated and turned over to the proper authorities for prosecution."

3. By December 19, 2024 letter, Respondent notified Petitioner that it had consolidated her grievance with another grievance she had filed on December 5, 2024, also related to the same subject matter. In addition, Respondent notified Petitioner that it had consolidated these two grievances with a third grievance Petitioner previously filed on the same subject matter that was then pending at Level 3. The letter notified Petitioner that all three grievances would proceed together to a hearing before the board.

4. By February 11, 2025 email, Respondent notified Petitioner that it had placed thirteen grievances she had filed on the board's agenda for its February 19, 2025 meeting.<sup>1</sup>

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<sup>1</sup> The grievances that the board considered 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.

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 by its respective filing date.

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

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

8. The Administrative Law Judge held a joint June 9, 2025 prehearing conference on Petitioner's seven pending appeals before the Commissioner.

9. Based on the number of appeals and on scheduling restrictions,<sup>2</sup> the Administrative Law Judge issued an August 1, 2025 Order setting a briefing schedule. 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.

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 filed a request for a brief deadline extension to October 6, 2025, citing the death of an immediate family member. Respondent did not oppose Petitioner's extension. To accommodate it, both parties agreed to extend the Commissioner's decision deadline.

13. The Administrative Law Judge granted Petitioner's requested extension.

14. Petitioner filed her three-page brief on October 6, 2025.

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

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<sup>2</sup> 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 violate the school laws of this state, which are 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.

### Claims outside of the 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, Respondent's BBFA (Legal),<sup>3</sup> and the Texas Government and Penal Codes. None of these claims involve the school laws of this state. *See* Tex. Educ. Code § 7.057(a)(2)(A), (f)(2). In addition, Petitioner did not address any of these

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<sup>3</sup> Policy BBFA (Legal) is not in the local record, which Respondent filed on May 7, 2025. Petitioner did not object to the local record as incomplete within thirty days of its filing, so it is presumed to be complete and accurate. 19 Tex. Admin. Code § 157.1073(e).

claims in her brief, which waives them for review. Accordingly, these claims are dismissed for lack of jurisdiction and, alternatively, for waiver. 19 Tex. Admin. Code § 157.1056(a).

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

Texas Education Code section 11.151(b)

In her pleading, Petitioner alleges, "[Trustee] Archer's appointment of Sanchez and failure to address corruption, plus voting on her own grievance, breaches lawful governance and her duty to protect students under § 11.151(b)." Section 11.151(b) provides,

Except as provided by Sections 39A.201 and 39A.202, 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. All powers and duties not specifically delegated by statute to the agency or to the State Board of Education are reserved for the trustees, and the agency may not substitute its judgment for the lawful exercise of those powers and duties by the trustees.

Tex. Educ. Code § 11.151(b).

In her brief, Petitioner argues that Trustee Archer's vote on her grievance despite a conflict of interest because the grievance included a complaint about her violates section 11.151(b). Petitioner makes only cursory statements without any record citations, citing instead to her own extra-record exhibits. Regarding Petitioner's complaint about Trustee Archer's conflicted vote, the record contains the February 19, 2025 board meeting minutes and audio recording. The board, with seven trustees attending and Trustee Archer presiding, heard thirteen grievances by Petitioner and her co-grievant. Petitioner did not object to Trustee Archer's participation at the beginning of the proceeding, when the board addressed the trustees' qualifications to serve in the proceeding. Thus, Petitioner waived this issue, which is dismissed. 19 Tex. Admin. Code § 157.1056(a).

Texas Education Code section 11.1511(b)(13)

In her pleading, Petitioner claims the board violated section 11.1511(b)(13), which provides that school boards must, "by rule, adopt a process through which district personnel, students or the parents or guardians of students, and members of the public may obtain a hearing

from the district administrators and the board regarding a complaint.” Petitioner used Respondent’s Policy FNG (Local) to present her complaints to administrators and to the board.<sup>4</sup>

Petitioner’s brief does not mention section 11.1513(b)(13). A petitioner’s failure to brief an issue on appeal is a failure to exhaust the petitioner’s administrative remedies and a waiver of that issue. Any argument Petitioner raised regarding section 11.1511(b)(13) is dismissed as waived. 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 that 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 any other Chapter 26 right. Accordingly, her section 26.001 claim is dismissed for failure to plead facts that could support a favorable decision and for failure to state a claim on which the Commissioner can grant relief. 19 Tex. Admin. Code § 157.1056(a).

#### Texas Education Code section 44.031

Petitioner asserts that the board violated Education Code section 44.031, titled, “Purchasing Contracts.” Tex. Educ. Code § 44.031. Section 44.031 is a lengthy statute with multiple subsections. In her brief, Petitioner argues that Respondent violated “44.031 et seq.,” while identifying no subsection that she claims the board violated. The only facts that she asserts concern Trustee Archer’s appointment of an interim superintendent despite “documented allegations of fraud an illegal used of 668 Fund/2018 Bond Money.” Petitioner’s grievance challenged Trustee Archer’s appointment of Sanchez and did not present complaints about section

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<sup>4</sup> In 2025, the Texas Legislature enacted Senate Bill 12, which added Texas Education Code section 1.007. Section 1.007(b), which became effective on September 1, 2025, requires school districts to comply with the policies they are required by law to adopt.

44.031 purchasing contracts. Petitioner also does not set out a clear section 44.031 argument in her brief, waiving that issue for appellate review and requiring its dismissal. In addition, she fails to plead facts that could support a favorable decision on this claim, which is alternatively dismissed for that reason. 19 Tex. Admin. Code § 157.1056(a).

### Conclusion

For all the foregoing reasons, Petitioner's appeal is dismissed. 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 Petitioner's claims based on Respondent's BBFA (Legal); Texas Government Code section 171.004; the U.S. and Texas constitutions; and Texas Penal Code section 32.45, as these are not part of the school laws of this state. *See* Tex. Educ. Code § 7.057(a)(2)(A), (f)(2).

3. Petitioner waived her claim based on Texas Education Code section 11.151(b).

4. Petitioner waived her claim based on Texas Education Code section 11.151(b)(13) by failing to brief it, waiving it for review. In addition, Respondent has a local grievance policy, Policy FNG (Local), which Petitioner used to present her complaints to the board.

5. Petitioner fails to plead facts that could support a Texas Education Code section 26.001 claim. As she does not assert another Chapter 26 right with this claim, Petitioner fails to state a claim on which the Commissioner can grant her relief. *See Parent v. Klein Indep. Sch. Dist.*, Docket No. 002- R10-09-2023 (Comm'r Educ. 2024).

6. Petitioner waived her Texas Education Code section 44.031 claim by failing to address it in her brief. Petitioner also fails to plead facts that could support a favorable decision.

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  
Date: 2026.01.12 14:35:05 -06'00'

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MIKE MORATH  
COMMISSIONER OF EDUCATION