

GRISELDA QUINTANILLA,	§	BEFORE THE
Petitioner,	§	
	§	
v.	§	COMMISSIONER OF EDUCATION
	§	
PHARR-SAN JUAN-ALAMO	§	
INDEPENDENT SCHOOL DISTRICT,	§	
Respondent.	§	THE STATE OF TEXAS

DECISION OF THE COMMISSIONER

STATEMENT OF THE CASE

Petitioner Griselda Quintanilla, a trustee with Respondent Pharr-San Juan-Alamo Independent School District, filed a November 19, 2025 appeal with the Texas Commissioner of Education complaining that Respondent's board of trustees improperly took no action on her grievance. In her grievance, Petitioner raised numerous complaints about her reflections made in her first year as a trustee, including that Respondent's superintendent violated anti-nepotism laws. In her amended pleading, Petitioner asserts jurisdiction under Texas Education Code section 7.057(a),¹ based on alleged board violations of Texas Government Code Chapter 573. Respondent denies error and filed a Plea to the Jurisdiction and Motion to Dismiss, asserting that Petitioner's claims based on the Texas Government Code fell outside the board's grievance procedures and its authority.

Adrienne Butcher is the Administrative Law Judge assigned by the Commissioner to hear this appeal. Petitioner proceeds *pro se*. Respondent is represented by its counsel, Oscar G. Treviño and Leslie Alvarez, of O'Hanlon, Demerath & Castillo, in Austin, Texas.

Because the Commissioner does not enforce Texas Government Code Chapter 573 through a section 7.057 appeal, and Petitioner asserts no Texas school laws and seeks no relief in her amended pleading, the Commissioner dismisses Petitioner's appeal. 19 Tex. Admin. Code § 157.1056(a).

¹ Petitioner does not further specify her jurisdictional basis, but because she does not allege an employment contract with Respondent, only section 7.057(a)(2)(A) could apply.

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 current trustee serving on Respondent's board of trustees.
2. Petitioner filed a November 4, 2025 grievance raising numerous complaints that arose during her first year as a trustee. Her complaints included alleged Texas Open Meetings Act violations by the board in meetings held on March 28, 2025,² and April 14, 2025.³ In addition, Petitioner complained about a May 20, 2025 hostile work environment;⁴ her exclusion from board functions in May–June 2025;⁵ a June 19, 2025 lack of transparency;⁶ an August 19, 2025 “public humiliation”;⁷ August 20 and 21, 2025 discriminatory treatment and a related “retaliatory call” by the superintendent;⁸ September 22, 2025 “official misconduct,” including allegations that the superintendent violated Texas nepotism laws;⁹ and the superintendent's alleged refusal around November 4, 2025, to timely provide Petitioner with documents she had requested as a trustee. Petitioner sought various relief, including an investigation of all incidents about which she had complained, a list of all board members' relatives working in Respondent's school district, and the board's censure of a trustee and the superintendent.

² This complaint related to public access to the board's meeting after area flooding. Petitioner also raised complaints about competitive bidding law violations.

³ This complaint related to the board's alleged executive session discussion about a Facebook post without posting the item on the meeting agenda.

⁴ Petitioner complained that at a public social function, she attempted to shake the superintendent's hand, but he refused, with other attending trustees witnessing his rebuff without taking corrective action.

⁵ Petitioner complained that some trustees were excluded from non-meeting events, such as sitting at the same table with other trustees.

⁶ Petitioner complained that she had requested documents from the district but faced undue delays in receiving the documents.

⁷ This complaint involved a person at a convocation quoting a Facebook comment that Petitioner had made, which Petitioner believed was intended to humiliate her.

⁸ Petitioner complained that she visited a high school during a function, and district police escorted her out on the superintendent's direction for lack of prior notice of attendance at the event.

⁹ Petitioner complained that the superintendent “exercised direct or indirect authority” over decisions to hire his brother and sister-in-law.

3. Respondent's school board heard Petitioner's grievance in closed session on November 17, 2025, and took no action on the grievance, finding that it was outside the board's grievance process's scope and authority.

4. Petitioner filed a November 19, 2025 Petition for Review with the Commissioner of Education, raising claims based on Texas Government Code 573.002, 573.041, and "applicable board policies regarding nepotism," including "Policy DC (Local) and TASB nepotism guidelines." Petitioner also raised Texas Education Code section 11.1513.

5. Respondent filed a December 19, 2025 Plea to the Jurisdiction and Motion to Dismiss, along with its answer and the local record.

6. The local record that Respondent filed included an index listing three items: (1) Petitioner's November 4, 2025 grievance; (2) a partial audio recording of the board's November 17, 2025 hearing on Petitioner's grievance; and (3) a weblink that purports to be a YouTube recording of the board's action on Petitioner's grievance, but when accessed, reflects that the video is no longer available.¹⁰ The local record does not include any of Respondent's adopted policies.

7. Petitioner did not object to the local record's completeness within thirty days of the date that Respondent filed it.

8. The Administrative Law Judge held a telephonic prehearing conference, which both parties attended. During the phone conference, Petitioner raised numerous complaints, specifically citing Texas Education Code sections 11.151, 11.1511, and 11.1513.

9. Petitioner had an opportunity to amend her pleading after the prehearing conference. She filed an amended pleading that narrowed her previous claims to alleged violations by the board of Texas Government Code Chapter 573. Petitioner's amended pleading identifies no Texas school laws and requests no relief from the Commissioner.

10. The Administrative Law Judge issued a Proposal for Decision recommending dismissal of this appeal. Petitioner did not file exceptions within her deadline to do so.

¹⁰ In preparing the local record, school districts should file electronic copies with the Agency rather than supply weblinks.

DISCUSSION

The Commissioner's appellate jurisdiction

In her amended pleading, Petitioner asserts jurisdiction under Texas Education Code section 7.057(a), without further specificity. Although she raised some employment-related complaints in her grievance, Petitioner appears to have asserted those complaints as a trustee, not as an employee, and she has not asserted that she has an employment contract with Respondent. Petitioner does not challenge the school laws of this state themselves. She does assert in her statement of jurisdiction that she is “aggrieved by actions and decisions of a school district board of trustees that violate the school laws of this state,” implicating Texas Education Code section 7.057(a)(2)(A). Section 7.057(a)(2)(A) statutorily grants the Commissioner jurisdiction to hear appeals by aggrieved parties who claim that a school board action or decision violated the school laws of this state. *See* Tex. Educ. Code § 7.057(a)(2)(A). The Legislature defined the school laws of this state as titles 1 and 2 of the Texas Education Code and the rules adopted under those titles. *Id.* § 7.057(f)(2).

Texas nepotism statutes

Texas Government Code Chapter 573 is entitled, “Degrees of Relationship; Nepotism Prohibitions,” and sets out the Government Code’s prohibition of, *inter alia*, public officials’ engagement in nepotism, or appointment of individuals within a defined degree of consanguinity or affinity to paid positions. Tex. Gov’t Code §§ 573.002 (defining degrees of relationship), 573.041 (nepotism prohibition for public official). A “public official” includes a school district officer. If a school board delegates final hiring authority to its superintendent, then the superintendent may be subject to Chapter 573’s nepotism prohibitions. The Government Code also provides for enforcement of nepotism violations. *See* Tex. Gov’t Code § 573.081–.084.

Petitioner asserts that in response to her complaint, the board failed to correct its superintendent’s alleged violation of Texas nepotism laws. However, Petitioner amended her pleading to assert only claims based on Texas Government Code Chapter 573, which is not a school law of this state. Although her original pleading cites Texas school laws, an amended

pleading supplants earlier pleadings, and Petitioner’s live pleading asserts no school law violations. She incorrectly claims that because school districts are subject to Chapter 573, the latter thus “constitutes a ‘school law of this state’ for purposes of Tex. Educ. Code § 7.057(a).” This is an incorrect legal statement, as the Legislature specifically defined Texas school laws as titles 1 and 2 of the Texas Education Code and their implementing rules. *See* Tex. Educ. Code § 7.057(f)(2). Laws outside the Education Code are outside the Commissioner’s jurisdiction, except where specifically incorporated into the school laws of this state. *See, e.g.,* Tex. Educ. Code § 26.007(b) (incorporating Open Meetings Act).

In support of her jurisdictional claim, Petitioner also cites several Commissioner decisions with what appear to be incomplete cause numbers. The decisions’ citations further do not include the years of the decisions’ issuance. Nor can the decisions be readily located by name on standard legal search engines, and they do not appear to stand for the propositions for which Petitioner cites them.¹¹ Petitioner’s amended pleading also fails to request any relief from the Commissioner.

Petitioner has already had an opportunity to amend her pleading. Even if she had included a Texas school law in her amended pleading, she did not object to the completeness of the limited local record that Respondent filed. If Petitioner wished to challenge Respondent’s compliance with local policies that it had a legal duty to adopt,¹² to the extent she raised those policies in her grievance before the board, the local record contains no school board policies for the Commissioner to review, and Petitioner does not appear to have requested that the board enter any of its policies into the record as grievance exhibits.

¹¹ For example, Petitioner states, “The Commissioner has consistently exercised jurisdiction where a petitioner challenges district employment practices alleged to violate statute, regardless of whether the petitioner is the affected employee. *See Hinojosa v. Donna ISD*, Comm’r Decision No. 087-R10-1108.” This citation does not include a decision year, and the case, which also reflects an incomplete cause number, cannot be located. Petitioner asserts that this case is one example through which the Commissioner has “consistently” allowed parties to assert employment claims on others’ behalf, which is incorrect, as a basic tenet of standing requires personal injury; parties cannot seek relief on others’ behalf, except where the party has representative standing, such as a parent representing a minor child.

It is not clear whether Petitioner, appearing *pro se*, used any AI tools to assist her in researching and amending her pleading. When used in the legal setting, AI has acquired some notoriety for “hallucinating” cases and citations and can be unreliable. *See Mata v. Avianca, Inc.*, 678 F. Supp. 3d 443 (S.D.N.Y. 2023).

¹² *See* Tex. Educ. Code § 1.007.

Dismissal of Petitioner's section 7.057 appeal to the Commissioner does not mean that Petitioner lacks any avenues to seek corrective action for the issues that she raises. Texas Government Code Chapter 573 provides consequences for violations of Texas nepotism laws, albeit not through the Commissioner of Education in a section 7.057 appeal that raises Government Code violations. Petitioner's appeal based on alleged board violations of Texas Government Code Chapter 573 is dismissed for lack of jurisdiction. 19 Tex. Admin. Code § 157.1056(a).

Conclusion

Petitioner's appeal is dismissed without a merits hearing for lack of jurisdiction and for failure to state a claim on which relief can be granted. 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 alleged violations of the Texas Government Code Chapter 573, which are not part of the Texas school laws. *See* Tex. Educ. Code § 7.057(f)(2).

3. Petitioner fails to request any relief from the Commissioner in her amended pleading and thus fails to request relief that he can grant her. 19 Tex. Admin. Code § 157.1056(a).

4. This appeal is dismissed for lack of jurisdiction and for failure to state a claim on which relief can be granted. 19 Tex. Admin. Code § 157.1056(a).

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 25th day of June 2026.

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