

## Chapter 228. Requirements for Educator Preparation Programs

### Subchapter G. Complaints and Investigations

#### §228.121. Complaints and Investigations Procedures.

- (a) Purpose. An applicant for candidacy in an educator preparation program (EPP), an employee or former employee of an EPP, a cooperating teacher, a host teacher, a mentor, a site supervisor, or an administrator in a public or private school that serves as a site for clinical teaching, residency, internship, or practicum experiences may submit a complaint about an EPP for investigation and resolution.
- (b) Complaint form. Texas Education Agency (TEA) staff shall develop a complaint form to standardize information received from an individual making a complaint against an EPP. The complaint form shall be available on the TEA website. All complaints filed against an EPP must be in writing on the complaint form. The written complaint must clearly state the facts that are the subject of the complaint and must state the measures the complainant has taken to attempt resolution of the complaint with the EPP. Anonymous complaints may not be investigated.
- (c) Processing the complaint.
  - (1) TEA staff shall record all complaints in the TEA complaints tracking system. Each complaint, no matter the severity, shall be assigned a tracking number.
  - (2) The complaint shall be forwarded to the division responsible for educator preparation for further action, including assessing the complaint, providing a severity status and prioritizing the

- (C) If an EPP fails to comply with this paragraph, the SBEC may amend the complaint to reflect the violation and may deem admitted the violation of SBEC rules and/or Texas Education Code (TEC), Chapter 21, alleged in the original complaint.
- (4) Resolving the complaint.
  - (A) Upon completion of an investigation, TEA staff shall notify both the individual and the EPP in writing of the findings of the investigation. If TEA staff finds that a violation occurred, the notice shall specify the statute and/or rule that was alleged to have been violated.
  - (B) Each party shall have 10 business days to present additional evidence or to dispute the findings of the investigation.
  - (C) After reviewing any additional evidence, if TEA staff finds that no violation has occurred, TEA staff shall close the investigation and notify both parties in writing.
  - (D) After reviewing any additional evidence, if TEA staff finds that the EPP has violated SBEC rules and/or TEC, Chapter 21, the following provisions apply.
    - (i) TEA staff shall notify the EPP in writing and specify for each violation the seriousness and extent of the violation, including whether the EPP has been found to have violated that statute and/or rule previously.
    - (ii) Within 10 business days of TEA staff notifying the EPP in writing that a violation has occurred, the EPP and TEA staff shall agree to a timely resolution of each violation. If the parties cannot agree on a resolution within 10 business days, TEA staff shall unilaterally propose a resolution and timeline.
    - (iii) If the EPP complies with the agreed or proposed resolution, the investigation is closed and the results recorded in accordance with subparagraph (E) of this paragraph. TEA staff shall provide the EPP written notice that the investigation is closed.
    - (iv) If the EPP does not comply with the agreed or proposed resolution within the

- (b) The EPP shall post on its website a link to the TEA complaints website and information regarding how to file a complaint under the EPP's complaint policy.
- (c) The EPP shall post a notification at all of its physical site(s) used by employees and candidates, in a