

By: Metcalf

H.B. No. 2546

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the scheduling of the first day of school for students  
3 by school districts.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 12A.003(b), Education Code, is amended  
6 to read as follows:

7 (b) A local innovation plan must:

8 (1) provide for a comprehensive educational program  
9 for the district, which ~~[program]~~ may include:

10 (A) innovative curriculum, instructional  
11 methods, and provisions regarding community participation, campus  
12 governance, and parental involvement;

13 (B) ~~[modifications to the school day or year];~~  
14 ~~[(C)]~~ provisions regarding the district budget  
15 and sustainable program funding;

16 (C) ~~[(D)]~~ accountability and assessment measures  
17 that exceed the requirements of state and federal law; and

18 (D) ~~[(E)]~~ any other innovations prescribed by  
19 the board of trustees; and

20 (2) identify requirements imposed by this code that  
21 inhibit the goals of the plan and from which the district should be  
22 exempted on adoption of the plan, subject to Section 12A.004.

23 SECTION 2. Section 12A.004(a), Education Code, is amended  
24 to read as follows:

1 (a) A local innovation plan may not provide for the  
2 exemption of a district designated as a district of innovation from  
3 the following provisions of this title:

4 (1) a state or federal requirement applicable to an  
5 open-enrollment charter school operating under Subchapter D,  
6 Chapter 12;

7 (2) Subchapters A, C, D, and E, Chapter 11, except that  
8 a district may be exempt from Sections 11.1511(b)(5) and (14) and  
9 Section 11.162;

10 (3) state curriculum and graduation requirements  
11 adopted under Chapter 28; ~~and~~

12 (4) academic and financial accountability and  
13 sanctions under Chapters 39 and 39A; and

14 (5) the first day of instruction requirements under  
15 Section 25.0811(a)(3).

16 SECTION 3. Section 25.0811(a), Education Code, is amended  
17 to read as follows:

18 (a) Except as provided by this section, a school district  
19 may not begin instruction for students for a school year before the  
20 fourth Monday in August. A school district may:

21 (1) begin instruction for students for a school year  
22 before the fourth Monday in August if the district operates a  
23 year-round system under Section 25.084; ~~or~~

24 (2) begin instruction for students for a school year  
25 on or after the first Monday in August at a campus or at not more  
26 than 20 percent of the campuses in the district if:

27 (A) the district has a student enrollment of

1 190,000 or more;

2 (B) the district at the beginning of the school  
3 year provides, financed with local funds, days of instruction for  
4 students at the campus or at each of the multiple campuses, in  
5 addition to the minimum instructional time [~~number of days of~~  
6 ~~instruction~~] required under Section 25.081;

7 (C) the campus or each of the multiple campuses  
8 is [~~are~~] undergoing comprehensive reform, as determined by the  
9 board of trustees of the district; and

10 (D) a majority of the students at the campus or at  
11 each of the multiple campuses are educationally disadvantaged; or

12 (3) begin instruction for students for a school year  
13 on or after the third Wednesday in August if the district is  
14 designated as a district of innovation under Chapter 12A.

15 SECTION 4. (a) Except as provided by Subsection (b) of  
16 this section, this Act applies beginning with the 2024-2025 school  
17 year.

18 (b) Sections 12A.003 and 12A.004, Education Code, as  
19 amended by this Act, apply only to a local innovation plan adopted  
20 or renewed on or after the effective date of this Act. A local  
21 innovation plan adopted or renewed before the effective date of  
22 this Act is governed by the law in effect on the date the plan was  
23 adopted or renewed, and the former law is continued in effect for  
24 that purpose.

25 SECTION 5. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2023.