

1-1 By: Eissler, Grusendorf, Madden H.B. No. 1949
1-2 (Senate Sponsor - Van de Putte)
1-3 (In the Senate - Received from the House April 14, 2003;
1-4 April 15, 2003, read first time and referred to Committee on
1-5 Education; May 2, 2003, reported favorably by the following vote:
1-6 Yeas 8, Nays 0; May 2, 2003, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the finality of a grade issued by a public school
1-10 teacher.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter B, Chapter 28, Education Code, is
1-13 amended by adding Section 28.0212 to read as follows:

1-14 Sec. 28.0212. FINALITY OF GRADE. (a) An examination or
1-15 course grade issued by a classroom teacher is final and may not be
1-16 changed unless the grade is arbitrary, erroneous, or not consistent
1-17 with the school district grading policy applicable to the grade, as
1-18 determined by the board of trustees of the school district in which
1-19 the teacher is employed.

1-20 (b) A determination by a school district board of trustees
1-21 under Subsection (a) is not subject to appeal. This subsection does
1-22 not prohibit an appeal related to a student's eligibility to
1-23 participate in extracurricular activities under Section 33.081.

1-24 SECTION 2. This Act applies beginning with the 2003-2004
1-25 school year.

1-26 SECTION 3. This Act takes effect immediately if it receives
1-27 a vote of two-thirds of all the members elected to each house, as
1-28 provided by Section 39, Article III, Texas Constitution. If this
1-29 Act does not receive the vote necessary for immediate effect, this
1-30 Act takes effect September 1, 2003.

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