

By: Shapiro

S.B. No. 931

A BILL TO BE ENTITLED

AN ACT

relating to teacher grading authority.

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

SECTION 1. Section 28.021, Education Code, is amended to read as follows:

Sec. 28.021. STUDENT GRADES AND ADVANCEMENT. (a) A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level.

(b) In measuring the academic achievement or proficiency of a student who is dyslexic, the student's potential for achievement or proficiency in the area must be considered.

(c) A teacher may not be required to change a student's grade unless it is determined to be arbitrary and capricious, erroneous, or not in accordance with a district grading policy. Except as provided by Section 33.081(g), a determination on this issue by the board of trustees or the board's designee is final and nonappealable and does not give rise to a cause of action.

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

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

S.B. No. 931

1 Act takes effect September 1, 2003.