

1-1 By: Van de Putte S.B. No. 1096  
1-2 (In the Senate - Filed March 11, 2003; March 17, 2003, read  
1-3 first time and referred to Committee on Education; April 9, 2003,  
1-4 reported favorably by the following vote: Yeas 9, Nays 0;  
1-5 April 9, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the finality of a grade issued by a public school  
1-9 teacher.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 28, Education Code, is  
1-12 amended by adding Section 28.0212 to read as follows:

1-13 Sec. 28.0212. FINALITY OF GRADE. (a) An examination or  
1-14 course grade issued by a classroom teacher is final and may not be  
1-15 changed unless the grade is arbitrary, erroneous, or not consistent  
1-16 with the school district grading policy applicable to the grade, as  
1-17 determined by the board of trustees of the school district in which  
1-18 the teacher is employed.

1-19 (b) A determination by a school district board of trustees  
1-20 under Subsection (a) is not subject to appeal. This subsection does  
1-21 not prohibit an appeal related to a student's eligibility to  
1-22 participate in extracurricular activities under Section 33.081.

1-23 SECTION 2. This Act applies beginning with the 2003-2004  
1-24 school year.

1-25 SECTION 3. This Act takes effect immediately if it receives  
1-26 a vote of two-thirds of all the members elected to each house, as  
1-27 provided by Section 39, Article III, Texas Constitution. If this  
1-28 Act does not receive the vote necessary for immediate effect, this  
1-29 Act takes effect September 1, 2003.

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