

By: Nixon

H.B. No. 69

A BILL TO BE ENTITLED

AN ACT

relating to the first day of instruction at a public school.

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

SECTION 1. Effective August 1, 2006, Section 7.056(e), Education Code, as amended by S.B. 658, Acts of the 79th Legislature, Regular Session, 2005, is amended to read as follows:

(e) Except as provided by Subsection (f), a school campus or district may not receive an exemption or waiver under this section from:

(1) a prohibition on conduct that constitutes a criminal offense;

(2) a requirement imposed by federal law or rule, including a requirement for special education or bilingual education programs; or

(3) a requirement, restriction, or prohibition relating to:

(A) essential knowledge or skills under Section 28.002 or minimum graduation requirements under Section 28.025;

(B) public school accountability as provided by Subchapters B, C, D, and G, Chapter 39;

(C) extracurricular activities under Section 33.081 or participation in a University Interscholastic League area, regional, or state competition under Section 33.0812;

(D) health and safety under Chapter 38;

- 1 (E) purchasing under Subchapter B, Chapter 44;  
2 (F) elementary school class size limits, except  
3 as provided by Section 25.112;  
4 (G) removal of a disruptive student from the  
5 classroom under Subchapter A, Chapter 37;  
6 (H) at-risk programs under Subchapter C, Chapter  
7 29;  
8 (I) prekindergarten programs under Subchapter E,  
9 Chapter 29;  
10 (J) educator rights and benefits under  
11 Subchapters A, C, D, E, F, G, and I, Chapter 21, or under Subchapter  
12 A, Chapter 22;  
13 (K) special education programs under Subchapter  
14 A, Chapter 29; ~~or~~  
15 (L) bilingual education programs under  
16 Subchapter B, Chapter 29; or  
17 (M) the requirements for the first day of  
18 instruction under Section 25.0811.

19 SECTION 2. Effective August 1, 2006, Section 25.0811(a),  
20 Education Code, is amended to read as follows:

21 ~~[(a)]~~ A school district shall ~~[may not]~~ begin instruction  
22 for students for a school year on the first Tuesday after Labor Day.  
23 ~~[before the week in which August 21 falls. For purposes of this~~  
24 ~~subsection, Sunday is considered the first day of the week.]~~

25 SECTION 3. A waiver under Section 7.056(e), Education Code,  
26 from the requirements for the first day of instruction under  
27 Section 25.0811, Education Code, as amended by this Act, for the

1 2006-2007 or a subsequent school year that is granted before August  
2 1, 2006, is void.

3 SECTION 4. Effective June 1, 2006, Sections 25.0811(b) and  
4 (c), Education Code, are repealed.

5 SECTION 5. This Act applies beginning with the 2006-2007  
6 school year.

7 SECTION 6. Except as otherwise provided by this Act, this  
8 Act takes effect on the 91st day after the last day of the  
9 legislative session.