

By: Guillen

H.B. No. 2612

A BILL TO BE ENTITLED

AN ACT

relating to requiring certain school districts to include a teacher on the board of trustees of the district.

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

SECTION 1. Subchapter C, Chapter 11, Education Code, is amended by adding Section 11.0511 to read as follows:

Sec. 11.0511. TEACHER MEMBER ON BOARD OF TRUSTEES IN CERTAIN DISTRICTS. (a) This section applies only to an independent school district that elects more than one trustee at large or at large by position. This section does not apply to an independent school district that elects all trustees from single-member trustee districts under Section 11.052.

(b) Notwithstanding any other law, an independent school district to which this section applies shall designate one at-large trustee position on the board to be held by a classroom teacher who:

(1) is employed by the district;

(2) is certified under Subchapter B, Chapter 21; and

(3) resides in the district.

(c) If no qualified classroom teacher files an application for a place on the ballot for an election to fill the position described by Subsection (b), the board of trustees shall appoint a qualified classroom teacher to serve as a trustee in the at-large trustee position designated for a classroom teacher under this section.

1 (d) If no classroom teacher is qualified for the trustee
2 position, the trustee position designated for a classroom teacher
3 under this section may be filled as provided by law.

4 (e) The common-law doctrine of incompatibility does not
5 apply to a classroom teacher elected or appointed to the board of
6 trustees as provided by this section, and the teacher may
7 deliberate and vote on any matter before the board other than:

8 (1) a matter that affects only that teacher; or

9 (2) a matter that affects only a group of teachers in
10 the school district, if:

11 (A) the teacher is a member of the group; and

12 (B) the group consists of fewer than 10 percent
13 of the teachers employed by the district.

14 (f) The commissioner shall adopt rules as necessary to
15 implement this section.

16 SECTION 2. Section 11.0511, Education Code, as added by
17 this Act, applies to an election for the board of trustees of a
18 school district scheduled to be held on or after November 8, 2005.

19 SECTION 3. This Act takes effect September 1, 2005.