

By: Lucio

S.B. No. 315

A BILL TO BE ENTITLED

AN ACT

relating to minimum personal leave for faculty members at public institutions of higher education.

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

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9615 to read as follows:

Sec. 51.9615. MINIMUM PERSONAL LEAVE FOR HIGHER EDUCATION FACULTY. (a) In this section:

(1) "Faculty member" has the meaning assigned by Section 51.101.

(2) "Institution of higher education" has the meaning assigned by Section 61.003.

(b) The governing board of each institution of higher education shall adopt a policy permitting faculty members to use five sick leave days as personal leave days in each academic year. In the policy, the governing board may permit faculty members to use more than five sick leave days as personal leave days in each academic year. A faculty member may not use sick leave as personal leave during an academic year if at any time during that academic year the total number of sick leave days available to the faculty member falls below 20.

(c) A policy adopted by the governing board of an institution of higher education under this section may regulate a faculty member's use of sick leave as personal leave if the policy

1 does not restrict the purposes for which the personal leave may be  
2 used.

3 (d) The governing board shall develop an appropriate form  
4 for the use of sick leave days as personal leave days.

5 (e) A faculty member may not carry forward from one academic  
6 year to the next unused accumulated personal leave to which the  
7 faculty member is entitled under a policy adopted under this  
8 section.

9 (f) The faculty member and the institution of higher  
10 education shall make every reasonable effort to provide without  
11 additional expense to the institution comparable instruction for  
12 any classes the faculty member may miss while taking personal leave  
13 under this section. The institution shall adopt a policy for  
14 recovering from the faculty member any expense incurred by the  
15 institution as a result of the faculty member's personal leave  
16 under this section.

17 (g) This section does not apply to an institution of higher  
18 education that adopts a comprehensive leave policy for faculty  
19 members and other employees as permitted by Section 51.961.

20 SECTION 2. This Act applies beginning with the 2005-2006  
21 academic year.

22 SECTION 3. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2005.