

By: Wentworth

S.B. No. 386

A BILL TO BE ENTITLED

AN ACT

relating to the ability of public school employees to communicate with members of a school district board of trustees.

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

SECTION 1. Section 11.163, Education Code, is amended by adding Subsection (d) to read as follows:

(d) The employment policy may not restrict the ability of a school district employee to communicate directly with a member of the board of trustees regarding a matter relating to the operation of the district, except that the policy may prohibit:

(1) communication during:

(A) the employee's regular working hours at the district; or

(B) the operating hours of a district campus; and

(2) ex parte communication relating to:

(A) a hearing under Subchapter E or F, Chapter 21; and

(B) another appeal or hearing in which ex parte communication would be inappropriate pending a final decision by a school district board of trustees.

SECTION 2. 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

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1 Act takes effect September 1, 2005.