

1-1 By: Wentworth S.B. No. 135
1-2 (In the Senate - Filed December 5, 2006; January 29, 2007,
1-3 read first time and referred to Committee on Education;
1-4 February 7, 2007, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; February 7, 2007, sent to printer.)

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

1-8 relating to the ability of public school employees to communicate
1-9 with members of a school district board of trustees.

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

1-11 SECTION 1. Section 11.163, Education Code, is amended by
1-12 adding Subsection (f) to read as follows:

1-13 (f) The employment policy may not restrict the ability of a
1-14 school district employee to communicate directly with a member of
1-15 the board of trustees regarding a matter relating to the operation
1-16 of the district, except that the policy may prohibit:

1-17 (1) communication during:

1-18 (A) the employee's regular working hours at the
1-19 district; or

1-20 (B) the operating hours of a district campus; and

1-21 (2) ex parte communication relating to:

1-22 (A) a hearing under Subchapter E or F, Chapter
1-23 21; and

1-24 (B) another appeal or hearing in which ex parte
1-25 communication would be inappropriate pending a final decision by a
1-26 school district board of trustees.

1-27 SECTION 2. This Act takes effect immediately if it receives
1-28 a vote of two-thirds of all the members elected to each house, as
1-29 provided by Section 39, Article III, Texas Constitution. If this
1-30 Act does not receive the vote necessary for immediate effect, this
1-31 Act takes effect September 1, 2007.

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