

By: Davis

S.B. No. 2431

A BILL TO BE ENTITLED

1 AN ACT

2 relating to excellence exemptions available to school districts.

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

4 SECTION 1. Subchapter F, Chapter 39, Education Code, is  
5 amended by amending Subsections (a) and (b) and adding Subsection  
6 (e) to read as follows:

7 Sec. 39.112. EXCELLENCE EXEMPTIONS. (a) Except as  
8 provided by Subsection (b), a school campus or district that is  
9 rated exemplary is exempt from requirements and prohibitions  
10 imposed under this code including rules adopted under this code. An  
11 exemption under this section applies to the school year in which a  
12 school campus or district is rated exemplary and to the following  
13 school year.

14 (b) A school campus or district is not exempt under this  
15 section from:

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

18 (2) requirements imposed by federal law or rule,  
19 including requirements for special education or bilingual  
20 education programs; or

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

23 (A) curriculum essential knowledge and skills  
24 under Section 28.002 or minimum graduation requirements under

- 1 Section 28.025;
- 2 (B) public school accountability as provided by
- 3 ~~[Subchapters B, C, D, and G]~~ this chapter;
- 4 (C) extracurricular activities under Section
- 5 33.081;
- 6 (D) health and safety under Chapter 38;
- 7 (E) competitive bidding under Subchapter B,
- 8 Chapter 44;
- 9 (F) elementary school class size limits, except
- 10 as provided by Subsection (d) or Section 25.112;
- 11 (G) removal of a ~~[disruptive]~~ student from the
- 12 classroom under ~~[Subchapter A,]~~ Chapter 37;
- 13 (H) at risk programs under Subchapter C, Chapter
- 14 29;
- 15 (I) prekindergarten programs under Subchapter E,
- 16 Chapter 29;
- 17 (J) rights and benefits of school employees;
- 18 (K) special education programs under Subchapter
- 19 A, Chapter 29; or
- 20 (L) bilingual education programs under
- 21 Subchapter B, Chapter 29.
- 22 (M) Administrative hearings under Section 7.057
- 23 and Subchapters F and G, Chapter 21;
- 24 (N) Governance of a school district under Chapter
- 25 11;
- 26 (O) Creation, consolidation, annexation and
- 27 boundary changes authorized under Chapter 13;

1                   (P) Admission of students under Section 25.001;  
2 excused student absences under Section 25.087; and truancy  
3 provisions under Sections 25.093, 29.094, 25.095, and 25.0951;

4                   (Q) School finance requirements and the Public  
5 Education Information Management System under Chapters 41, 42, and  
6 46; and

7                   (R) Parental Rights under Ch 26.

8           (c) The agency shall monitor and evaluate deregulation of a  
9 school campus or district under this section and Section 7.056.

10           (d) The commissioner may exempt an exemplary school campus  
11 from elementary class size limits under this section if the school  
12 campus submits to the commissioner a written plan showing steps  
13 that will be taken to ensure that the exemption from the class size  
14 limits will not be harmful to the academic achievement of the  
15 students on the school campus. The commissioner shall review  
16 achievement levels annually. The exemption remains in effect until  
17 the commissioner determines that achievement levels of the campus  
18 have declined.

19           (e) Nothing in this section shall be construed to prohibit a  
20 school district from voluntarily complying with any provision of  
21 this title, nor from eligibility for any state or federal funds  
22 generally available to school districts, in accordance with  
23 eligibility requirements for such funding.