

By: Aycock

H.B. No. 391

A BILL TO BE ENTITLED

AN ACT

1
2 relating to termination of a public school teacher's term contract
3 and discharge of the teacher at any time on the basis of a school
4 district's financial exigency.

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

6 SECTION 1. Section 21.211, Education Code, is amended by
7 adding Subsection (a-1) to read as follows:

8 (a-1) To terminate a term contract and discharge a teacher
9 for a financial exigency under Subsection (a)(2), the board of
10 trustees of a school district must adopt a resolution declaring the
11 financial exigency and provide written notice of the declaration to
12 the commissioner. The declaration expires at the end of the fiscal
13 year during which the declaration is made unless the board adopts a
14 resolution before the end of the fiscal year declaring continuation
15 of the financial exigency for the following fiscal year and
16 provides written notice of that declaration to the commissioner.
17 The board is not limited in the number of times the board may adopt a
18 resolution declaring continuation of the financial exigency. Each
19 time the board adopts a resolution under this subsection, the board
20 must notify the commissioner. The commissioner by rule shall
21 prescribe the time and manner in which notice must be given to the
22 commissioner under this subsection.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2011.