

By: Guillen

H.B. No. 1326

A BILL TO BE ENTITLED

AN ACT

relating to authorization to operate school districts on the basis of a four-day instructional week.

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

SECTION 1. Section 25.081, Education Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as authorized under [~~Subsection (b) of~~] this section, Section 25.084, or Section 29.0821, for each school year each school district must operate so that the district provides for at least 180 days of instruction for students.

(c) In accordance with this subsection, a school district may operate so that during the school year the district provides four days of instruction for students per week. A district that operates under this subsection may choose to forgo providing regular instruction for students during the school year from Friday through Sunday or from Saturday through Monday. Notwithstanding Section 25.082, the district shall extend the school day at each district school so that the average length of a school day is at least 8.5 hours. The amount of state funding to which a district is entitled is not affected by the district's operation in accordance with this subsection. The district shall, in the time and manner required by commissioner rule, notify the commissioner of the district's intention to operate in accordance with this subsection.

1 The commissioner shall adopt any other rules necessary for the
2 administration of this subsection.

3 SECTION 2. Section 21.401(c), Education Code, is amended to
4 read as follows:

5 (c) The commissioner, as provided by Section 25.081(b), may
6 reduce the number of days of service required by this section. The
7 commissioner shall reduce the number of days of service required by
8 this section for an educator employed by a school district
9 operating in accordance with Section 25.081(c) so that the number
10 of days of service required is in proportion to the number of days
11 of instruction provided by the district for the school year. A
12 reduction by the commissioner under this subsection does not reduce
13 an educator's salary.

14 SECTION 3. Section 42.005(a), Education Code, is amended to
15 read as follows:

16 (a) In this chapter, average daily attendance is:

17 (1) the quotient of the sum of attendance for each day
18 of the minimum number of days of instruction as described under
19 Section 25.081(a) divided by the minimum number of days of
20 instruction;

21 (2) for a district that operates under a flexible year
22 program under Section 29.0821, the quotient of the sum of
23 attendance for each actual day of instruction as permitted by
24 Section 29.0821(b)(1) divided by the number of actual days of
25 instruction as permitted by Section 29.0821(b)(1); [~~or~~]

26 (3) for a district that operates under a flexible
27 school day program under Section 29.0822, the average daily

1 attendance as calculated by the commissioner in accordance with
2 Section 29.0822(d); or

3 (4) for a district that operates on the basis of a
4 reduced number of days of instruction and a longer school day under
5 Section 25.081(c), the quotient of the sum of attendance for each
6 day of instruction provided under Section 25.081(c) divided by the
7 number of days of instruction provided under Section 25.081(c).

8 SECTION 4. This Act applies beginning with the 2011-2012
9 school year.

10 SECTION 5. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2011.