

By: Hancock

H.B. No. 1367

A BILL TO BE ENTITLED

AN ACT

relating to a school district exemption from state requirements,
restrictions, and prohibitions.

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

SECTION 1. Subchapter A, Chapter 11, Education Code, is
amended by adding Section 11.005 to read as follows:

Sec. 11.005. DEREGULATION PROGRAM. (a) The commissioner shall establish a program under which participating school districts are exempt from any requirement, restriction, or prohibition imposed by this code or rule of the State Board of Education or commissioner, except as provided by Subsection (c).

(b) A school district may participate in the program by notifying the commissioner of the district's intent to participate.

(c) A school district participating in the program is not exempt from:

(1) a requirement imposed by federal law or rule, including any requirement for special education or bilingual education programs;

(2) a requirement, restriction, or prohibition that is necessary to meet eligibility standards for a federal entitlement, as determined by the commissioner;

(3) a requirement, restriction, or prohibition relating to public school accountability as provided by Subchapters B, C, D, E, and J, Chapter 39;

1 (4) a requirement, restriction, or prohibition
2 relating to the health and safety of students and school district
3 employees as provided by Chapter 38; or

4 (5) a prohibition on conduct that constitutes a
5 criminal offense.

6 (d) The commissioner may adopt rules as necessary to
7 implement this section.

8 (e) This section expires September 1, 2013.

9 SECTION 2. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2011.