

By: Bonnen

H.B. No. 3006

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the minimum number of days of service for public school  
3 educators and the required number of days of instruction for public  
4 school students.

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

6 SECTION 1. Section 21.401, Education Code, is amended by  
7 adding Subsection (c-1) to read as follows:

8 (c-1) A school district, in accordance with Section  
9 25.081(c), may reduce the number of days of service required by this  
10 section. Notwithstanding Section 21.402, the school district may  
11 reduce an educator's salary in proportion to the reduction in the  
12 number of days of instruction for students under Section 25.081(c).

13 SECTION 2. Section 25.081, Education Code, is amended by  
14 amending Subsection (a) and adding Subsection (c) to read as  
15 follows:

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

20 (c) A school district may reduce the number of days of  
21 instruction for students required under Subsection (a) by not more  
22 than 10 days each school year. The district is not required to  
23 obtain a waiver under Section 7.056 to reduce the number of days of  
24 instruction for students as provided by this subsection.

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

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

4 (1) the quotient of the sum of attendance for each day  
5 of the minimum number of days of instruction as described under  
6 Section 25.081(a) divided by the minimum number of days of  
7 instruction;

8 (2) for a district that operates under a flexible year  
9 program under Section 29.0821, the quotient of the sum of  
10 attendance for each actual day of instruction as permitted by  
11 Section 29.0821(b)(1) divided by the number of actual days of  
12 instruction as permitted by Section 29.0821(b)(1); ~~[or]~~

13 (3) for a district that operates under a flexible  
14 school day program under Section 29.0822, the average daily  
15 attendance as calculated by the commissioner in accordance with  
16 Section 29.0822(d); or

17 (4) for a district that reduces the number of days of  
18 instruction for students under Section 25.081(c), the quotient of  
19 the sum of attendance for each actual day of instruction as  
20 permitted by Section 25.081(c) divided by the number of actual days  
21 of instruction as permitted by Section 25.081(c).

22 SECTION 4. This Act applies beginning with the 2011-2012  
23 school year.

24 SECTION 5. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2011.