

By: Callegari

H.B. No. 3501

A BILL TO BE ENTITLED

AN ACT

relating to school district personnel.

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

SECTION 1. Section 21.401, Education Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) Except as provided by Subsection (e), an [An] educator employed under a 10-month contract must provide a minimum of 187 days of service.

(c) The commissioner, as provided by Section 25.081(b), may reduce the number of days of service required by this section. A reduction by the commissioner does not reduce an educator's salary.

(d) Subsections (a) and (b) do not apply to a contract between a school district and an educational diagnostician.

(e) Notwithstanding any other provision in this Code, the board of trustees of a school district may reduce the length of service required under an educator contract if the board has determined that a decrease in state funds available per weighted student necessitates a reduction in the length of the instructional year or in the number of days of service required by the educator. The board may reduce the length of service by up to seven instructional days, non-instructional days, or a combination of the two. The salary of the educator may be reduced by an amount corresponding to the reduction in length of service.

1 SECTION 2. Section 22.003(a)(1), Education Code, is amended
2 to read as follows:

3 (a) A state minimum personal leave program consisting of
4 five days per year personal leave with no limit on accumulation and
5 transferable among districts shall be provided for school district
6 employees. School districts may provide additional personal leave
7 beyond this minimum. The board of trustees of a school district may
8 adopt a policy governing an employee's use of personal leave
9 granted under this subsection, except that the policy may not
10 restrict:

11 (1) the purposes for which the leave may be used, except
12 that the board by local policy may restrict the use of state
13 personal leave on days designated for furloughs under Section
14 21.401, Education Code; or

15 (2) the order in which an employee may use the state minimum
16 personal leave and any additional personal leave provided by the
17 school district.

18 SECTION 3. Section 25.081, Education Code, is amended by to
19 read as follows:

20 (a) Except as authorized under Subsections (b) and (c) of
21 this section, Section 25.084, or Section 29.0821, for each school
22 year each school district must operate so that the district
23 provides for at least 180 days of instruction for students.

24 (b) The commissioner may approve the instruction of
25 students for fewer than the number of days required under
26 Subsection (a) if disaster, flood, extreme weather conditions, fuel
27 curtailment, or another calamity causes the closing of schools.

1 (c) If the board of trustees of a school district has
2 determined that a decrease in state funds available per weighted
3 student necessitates a reduction in the instructional year, the
4 board may reduce the number of days of instruction required under
5 Subsection (a). The board may adjust educator contracts as
6 provided at Section 21.401(e).

7 SECTION 4. Section 21.402(d), Education Code, is repealed.

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