

BILL ANALYSIS

C.S.H.B. 1798
By: Deshotel
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Differences among communities and the needs of students, interested parties note, can be as expansive and diverse as Texas' geography. Despite this, the parties suggest, the majority of decision-making on how best to educate schoolchildren has shifted away from local communities to state policymakers who too often mandate compliance with one-size-fits-all policies. According to the parties, school districts have avenues available to them to obtain greater autonomy, but those avenues are complicated and burdensome enough to discourage attempts at their use. C.S.H.B. 1798 seeks to promote high-quality, local decision-making and to unleash the creativity of local communities to solve local education needs quickly and in line with community values.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority previously granted to the State Board of Education is transferred to the commissioner of education in SECTION 5 of this bill.

ANALYSIS

C.S.H.B. 1798 amends the Education Code to remove the home-rule school district scheme from the authorized alternative methods of operation for an independent school district, a school campus, or an educational program and replace it with a local control school district scheme. The bill makes certain statutory provisions governing home-rule school districts applicable to local control school districts. The bill grants a local control school district and its employees and volunteers in matters related to the operation of a local control school district immunity from liability to the same extent as an independent school district and its employees and volunteers and grants a member of the governing body of a local control school district immunity from liability to the same extent as an independent school district trustee. The bill subjects a local control school district to, among other provisions, a prohibition, restriction, or requirement, as applicable, imposed by statutory provisions governing public education, or a rule adopted under such provisions, relating to the confidentiality of teacher or administrator performance evaluations, to transfers of students involved in sexual assault or who are victims of or have engaged in bullying, to the required foundation and enrichment curriculum, to computation and distribution of state assistance with instructional facilities and payment of existing debt, to restrictions on the use with students of confinement, restraint, seclusion, and time-out, and to procedures for a challenge of a public school system accountability determination, intervention, or sanction. The bill removes a provision that would subject a local control school district to any prohibition, restriction, or requirement, as applicable, relating to elementary class size limits in the case of any campus in the district that fails to satisfy certain performance standards.

C.S.H.B. 1798 makes statutory provisions relating to the appointment of a charter commission for purposes of framing a home-rule school district charter applicable to a local control commission for purposes of framing a local control plan and makes the Election Code applicable to a petition submitted to the board of trustees of a school district requesting the appointment of a local control commission and to an election on a proposed local control plan. The bill authorizes such a petition to designate one or more persons as lead petitioner and sets out provisions relating to the requirements for such a petition and the composition and duties of a local control commission.

C.S.H.B. 1798 makes the required content of a home-rule school district charter applicable to a local control plan and authorizes a local control plan to include provisions that impose requirements on the district that are similar or identical to federal or state laws that a local control school district is not otherwise subject to under the bill's provisions. The bill establishes that such a requirement is not a school law of the state for purposes of appeals to the commissioner of education and does not create an entitlement to a hearing before a hearing examiner or a hearing in relation to appeals by teachers to the commissioner.

C.S.H.B. 1798 removes statutory provisions applicable to a home-rule school district governing the processes by which the secretary of state determines if a proposed home-rule school district charter complies with the federal Voting Rights Act. The bill makes statutory provisions relating to the processes by which the commissioner determines through legal review if a proposed charter complies with other applicable state and federal laws applicable to a proposed local control plan and does the same, with some revision, with regard to the election on a proposed home-rule school district charter and the process by which a charter or an amendment thereof is adopted.

C.S.H.B. 1798 removes provisions applicable to a home-rule school district requiring certain minimum voter turnouts for an election on the adoption of a proposed home-rule school district charter, a proposed amendment to the charter of such a district, or a proposition to rescind such a charter to have any effect. The bill authorizes the commissioner to place a local control school district on probation or to revoke such a district's local control plan under certain circumstances and requires the commissioner to adopt a procedure by rule to be used for placing such a district on probation and for revoking a local control plan. The bill repeals a provision relating to placing on probation or revoking a home-rule school district charter. The bill sets out provisions regarding the status of a district in the case of annexation or consolidation and regarding the rescission of a local control plan.

C.S.H.B. 1798 changes the election date for the adoption, amendment, or rescission of a local control district plan from the first uniform election date that occurs at least 45 days after the date on which a district board of trustees orders the election, as applicable to a home-rule school district charter, to the first uniform election date in November of an even-numbered year that occurs at least 78 days after the date the board orders the election.

C.S.H.B. 1798 amends the Election Code to authorize a school district or local control school district that holds its general election for officers on a date other than the November uniform election date of an even-numbered year to change the date on which it holds its general election for officers to the November uniform election date by adopting a local control plan or an amendment to a local control plan.

C.S.H.B. 1798 repeals Section 7.102(c)(8), Education Code.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1798 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. The heading to Chapter 12, Education Code, is amended.

SECTION 2. Section 12.001(b), Education Code, is amended.

SECTION 3. Section 12.0011, Education Code, is amended.

SECTION 4. Section 12.002, Education Code, is amended.

SECTION 5. Subchapter B, Chapter 12, Education Code, is amended to read as follows:

SUBCHAPTER B. LOCAL CONTROL ~~[HOME-RULE]~~ SCHOOL DISTRICT ~~[CHARTER]~~

Sec. 12.011. AUTHORIZATION AND STATUS.

Sec. 12.012. APPLICABILITY OF LAWS AND RULES TO LOCAL CONTROL ~~[HOME-RULE]~~ SCHOOL DISTRICT. (a) A local control ~~[home-rule]~~ school district is subject to federal and state laws and rules governing school districts, except that a local control ~~[home-rule]~~ school district is subject to:

(1) this code only to the extent that the applicability to a local control ~~[home-rule]~~ school district of a provision of this code is specifically provided;

(2) a rule adopted under this code by the State Board of Education or the commissioner only if the code provision authorizing the rule specifically applies to a local control ~~[home-rule]~~ school district; and

(3) all requirements of federal law and applicable court orders relating to eligibility for and the provision of special education and bilingual programs.

(b) An employee of a local control ~~[home-rule]~~ school district who would qualify ~~[qualifies]~~ for membership in the Teacher Retirement System of Texas if the local control school district were an independent

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Subchapter B, Chapter 12, Education Code, is amended to read as follows:

SUBCHAPTER B. LOCAL CONTROL ~~[HOME-RULE]~~ SCHOOL DISTRICT ~~[CHARTER]~~

Sec. 12.011. AUTHORIZATION AND STATUS.

Sec. 12.012. APPLICABILITY OF LAWS AND RULES TO LOCAL CONTROL ~~[HOME-RULE]~~ SCHOOL DISTRICT. (a) A local control ~~[home-rule]~~ school district is subject to federal and state laws and rules governing school districts, except that a local control ~~[home-rule]~~ school district is subject to:

(1) this code only to the extent that the applicability to a local control ~~[home-rule]~~ school district of a provision of this code is specifically provided;

(2) a rule adopted under this code by the State Board of Education or the commissioner only if the code provision authorizing the rule specifically applies to a local control ~~[home-rule]~~ school district; and

(3) all requirements of federal law and applicable court orders relating to eligibility for and the provision of special education and bilingual programs.

(b) An employee of a local control ~~[home-rule]~~ school district who qualifies ~~[home-rule]~~ for membership in the Teacher Retirement System of Texas shall be covered under the system in the same manner and to the same

school district shall be covered under the system in the same manner and to the same extent as a qualified employee employed by an independent school district is covered.

(c) This section does not permit a local control [~~home-rule~~] school district to discriminate against a student who has been diagnosed as having a learning disability, including dyslexia or attention deficit/hyperactivity disorder. Discrimination prohibited by this subsection includes denial of placement in a gifted and talented program if the student would otherwise be qualified for the program but for the student's learning disability. This section does not permit a local control [~~home-rule~~] school district to, on the basis of race, socioeconomic status, learning disability, or family support status, place a student in a program other than the highest-level program necessary to ensure the student's success.

No equivalent provision.

Sec. 12.013. APPLICABILITY OF TITLE.

(a) A local control [~~home-rule~~] school district has the powers and entitlements granted to school districts and school district boards of trustees under this title, including:

- (1) taxing authority;
- (2) bonding authority; and
- (3) assistance with instructional facilities and payment of existing debt under Chapter 46.

(b) A local control [~~home-rule~~] school district is subject to:

- (1) a provision of this title establishing a criminal offense;
- (2) a provision of this title relating to limitations on liability; and
- (3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule

extent as a qualified employee employed by an independent school district is covered.

(c) This section does not permit a local control [~~home-rule~~] school district to discriminate against a student who has been diagnosed as having a learning disability, including dyslexia or attention deficit/hyperactivity disorder. Discrimination prohibited by this subsection includes denial of placement in a gifted and talented program if the student would otherwise be qualified for the program but for the student's learning disability. This section does not permit a local control [~~home-rule~~] school district to, on the basis of race, socioeconomic status, learning disability, or family support status, place a student in a program other than the highest-level program necessary to ensure the student's success.

Sec. 12.0121. IMMUNITY FROM LIABILITY. In matters related to the operation of a local control school district, a local control school district is immune from liability to the same extent as an independent school district, and its employees and volunteers are immune from liability to the same extent as independent school district employees and volunteers. A member of the governing body of a local control school district is immune from liability to the same extent as an independent school district trustee.

Sec. 12.013. APPLICABILITY OF TITLE.

(a) A local control [~~home-rule~~] school district has the powers and entitlements granted to school districts and school district boards of trustees under this title, including taxing authority.

(b) A local control [~~home-rule~~] school district is subject to:

- (1) a provision of this title establishing a criminal offense;
- (2) a provision of this title relating to limitations on liability; and
- (3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule

adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) educator certification under Chapter 21 and educator rights under Sections 21.407, 21.408, and 22.001;

(C) criminal history records under Subchapter C, Chapter 22;

(D) student admissions under Section 25.001;

(E) school attendance under Sections 25.085, 25.086, and 25.087;

(F) inter-district or inter-county transfers of students under Subchapter B, Chapter 25;

(G) ~~[elementary class size limits under Section 25.112, in the case of any campus in the district that fails to satisfy any standard under Section 39.054(e);~~

~~[(H)]~~ high school graduation under Section 28.025;

~~[(H)]~~ ~~[(H)]~~ special education programs under Subchapter A, Chapter 29;

~~[(I)]~~ ~~[(J)]~~ bilingual education under Subchapter B, Chapter 29;

~~[(J)]~~ ~~[(K)]~~ prekindergarten programs under Subchapter E, Chapter 29;

~~[(K)]~~ ~~[(L)]~~ safety provisions relating to the transportation of students under Sections 34.002, 34.003, 34.004, and 34.008;

~~[(L)]~~ ~~[(M)]~~ computation and distribution of state aid under Chapters 31, 42, ~~[and]~~ 43, ~~and~~ 46;

~~[(M)]~~ ~~[(N)]~~ extracurricular activities under Section 33.081;

~~[(N)]~~ ~~[(O)]~~ health and safety under Chapter 38;

~~[(O)]~~ ~~[(P)]~~ public school accountability under Subchapters B, C, D, E, ~~F~~, and J, Chapter 39;

~~[(P)]~~ ~~[(Q)]~~ equalized wealth under Chapter 41;

~~[(Q)]~~ ~~[(R)]~~ a bond or other obligation or tax rate under Chapters 42, 43, and 45; and

~~[(R)]~~ ~~[(S)]~~ purchasing under Chapter 44.

Sec. 12.0131. LOCAL CONTROL

adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) educator certification under Chapter 21, confidentiality of performance evaluations under Section 21.355, and educator rights under Sections 21.407, 21.408, and 22.001;

(C) criminal history records under Subchapter C, Chapter 22;

(D) student admissions under Section 25.001;

(E) school attendance under Sections 25.085, 25.086, and 25.087;

(F) inter-district or inter-county transfers of students under Subchapter B, Chapter 25, and transfers of students under Sections 25.0341 and 25.0342;

(G) the required curriculum under Section 28.002 ~~[elementary class size limits under Section 25.112, in the case of any campus in the district that fails to satisfy any standard under Section 39.054(e);~~

(H) high school graduation under Section 28.025;

(I) special education programs under Subchapter A, Chapter 29;

(J) bilingual education under Subchapter B, Chapter 29;

(K) prekindergarten programs under Subchapter E, Chapter 29;

(L) safety provisions relating to the transportation of students under Sections 34.002, 34.003, 34.004, and 34.008;

(M) computation and distribution of state aid under Chapters 31, 42, ~~[and]~~ 43, and 46;

(N) extracurricular activities under Section 33.081;

(O) restrictions under Section 37.0021 on the use with students of confinement, restraint, seclusion, and time-out;

~~[(P)]~~ health and safety under Chapter 38;

~~[(Q)]~~ ~~[(P)]~~ public school accountability under Subchapters B, C, D, E, ~~F~~, and J, Chapter 39;

~~[(R)]~~ ~~[(Q)]~~ equalized wealth under Chapter 41;

~~[(S)]~~ ~~[(R)]~~ a bond or other obligation or tax rate under Chapters 42, 43, and 45; and

~~[(T)]~~ ~~[(S)]~~ purchasing under Chapter 44.

No equivalent provision.

SCHOOL DISTRICT OPERATION BEGINS AFTER VOTER APPROVAL. An independent school district shall begin operation as a local control school district under the local control plan after the approval of a proposed local control plan by registered voters of the school district through the process provided by this subchapter.

No equivalent provision.

Sec. 12.014. SUBMISSION OF LOCAL CONTROL PLAN TO VOTERS ~~[APPOINTMENT OF CHARTER COMMISSION]~~. A local control plan shall be submitted to the voters under Section 12.019 ~~[The board of trustees of a school district shall appoint a charter commission to frame a home rule school district charter]~~ if:

- (1) the board of trustees of a school district receives a petition signed by at least five percent of the registered voters of the district, as verified under Section 12.0151, requesting that the district adopt the local control plan that accompanies the petition ~~[appointment of a charter commission to frame a home rule school district charter signed by at least five percent of the registered voters of the district];~~ or
- (2) at least two-thirds of the total membership of the board of trustees of a school district adopt a resolution requesting that the district adopt the local control plan considered with the resolution ~~[ordering that a charter commission be appointed].~~

No equivalent provision.

Sec. 12.015. PETITION TO OPERATE AS A LOCAL CONTROL SCHOOL DISTRICT. (a) For a petition to operate as a local control school district to be valid:
(1) the petition must include a statement worded substantially as follows on each

Sec. 12.0131. APPLICABILITY OF ELECTION CODE. The Election Code, including Title 15, Election Code, applies to:

- (1) a petition submitted to the board of trustees of a school district under Section 12.014; and
- (2) a local control plan election held under Section 12.019.

Sec. 12.014. APPOINTMENT OF LOCAL CONTROL ~~[CHARTER]~~ COMMISSION. (a) The board of trustees of a school district shall appoint a local control ~~[charter]~~ commission to frame a local control plan for the ~~[home-rule]~~ school district ~~[charter]~~ if:

- (1) the board receives a petition requesting the appointment of a local control ~~[charter]~~ commission to frame a local control plan for the ~~[home-rule]~~ school district ~~[charter]~~ signed by at least five percent of the registered voters of the district; or
- (2) at least two-thirds of the total membership of the board adopt a resolution ordering that a local control ~~[charter]~~ commission be appointed.

(b) A petition submitted under Subsection (a)(1) may designate one or more persons as lead petitioner.

Sec. 12.0141. REQUIRED STATEMENT FOR PETITION. For a petition under Section 12.014(a)(1) to be valid, the petition must include the following, or a substantially similar, statement on each page of the petition that precedes the space

page of the petition preceding the space reserved for signatures: "This petition is to request that an election be held for (name of school district) to operate under the local control plan available at (Internet website address). Technical amendments to the local control plan posted on the Internet may be adopted before the election on adoption of the plan.";

(2) the petition must include each signer's printed name and residential address, including zip code;

(3) each signer must enter beside his or her signature the date on which he or she signed the petition;

(4) the petition must designate one or more persons as lead petitioner;

(5) the proposed local control plan must be available online at the Internet website referenced on the petition during the period signatures are collected; and

(6) the petition, when submitted to the board of trustees of the school district as provided by Subsection (c), must include a signed statement by the lead petitioner stating that it is the lead petitioner's reasonable belief that the petition is signed by at least five percent of the registered voters of the district.

(b) A digital signature may be accepted if the board of trustees of the school district or county clerk of the county in which the school district's central administrative office is located has adopted rules under Section 2054.060, Government Code.

(c) When the lead petitioner believes that at least five percent of the registered voters of the school district have signed the petition, the lead petitioner shall submit the petition and proposed local control plan to the board of trustees of the school district.

(d) Not later than the fifth day after the date of receipt of the petition and local control plan, the board of trustees of the school district shall:

(1) submit a copy of the petition to the county clerk of the county in which the school district's central administrative office is located for verification of the signatures, as provided by Section 12.0151; and

(2) submit a copy of the proposed local control plan to the commissioner for review, as provided by Section 12.018.

reserved for signatures: "This petition is to request that a local control commission be appointed for the purpose of proposing a local control plan under which (name of school district) will operate if the plan is approved at an election of voters of the district. The local control commission will be composed of 15 residents of the district."

No equivalent provision.

No equivalent provision.

No equivalent provision.

(e) The failure of the board of trustees of the school district to comply with Subsection (d) does not invalidate the petition or the local control plan but may be a basis for equitable relief issued by a court of competent jurisdiction.

No equivalent provision.

(f) If the board of trustees of the school district fails to comply with Subsection (d), the lead petitioner may:

No equivalent provision.

(1) submit a copy of the petition to the county clerk of the county in which the school district's central administrative office is located for verification of the signatures, as provided by Section 12.0151; and

(2) submit a copy of the proposed local control plan to the commissioner for review, as provided by Section 12.018.

(g) The county clerk and commissioner shall consider the petition and local control plan received from the lead petitioner under Subsection (f) as if submitted in a timely manner by the board of trustees of the school district in accordance with Subsection (d).

No equivalent provision.

~~[CHARTER COMMISSION:~~

Sec. 12.015. LOCAL CONTROL
~~[CHARTER] COMMISSION.~~

~~(a) Not later than the 30th day after the date of receipt of a petition or adoption of a resolution under Section 12.014, the board of trustees of the school district shall appoint 15 residents of the district to serve on the commission to frame a charter for the district.~~

(a) Not later than the 30th day after the date of ~~[receipt of a petition or]~~ adoption of a resolution under Section 12.014(a)(2) ~~[12.014]~~, the board of trustees of the school district shall appoint 15 residents of the district to serve on the commission to frame a local control plan ~~[charter]~~ for the district, as provided by Subsection (b-1).

No equivalent provision.

(a-1) Not later than the 30th day after the date the board of trustees of the school district receives a petition under Section 12.014(a)(1), the board shall appoint the following 15 residents of the district to serve on the commission to frame a local control plan for the district:

(1) seven residents who are selected by the board; and

(2) eight residents who are selected by the lead petitioner, provided that the petition designates one or more persons as lead petitioner.

~~(b) The membership of the charter commission must reflect the racial, ethnic, socioeconomic, and geographic diversity of the district. A majority of the members~~

(b) To the extent practicable, the [The] membership of the local control ~~[charter] commission must reflect the racial and [-] ethnic[-, socioeconomic, and geographic]~~

~~appointed to the commission must be parents of school-age children attending public school. At least 25 percent of the commission must be classroom teachers selected by the representatives of the professional staff pursuant to Section 11.251(e).~~

No equivalent provision.

No equivalent provision.

No equivalent provision.

~~[(e) The charter commission must complete a proposed charter not later than the first anniversary of the date of its appointment. After that date, the commission expires and the appointment under Section 12.014 is void.~~

~~[(d) A charter commission appointed under this section is considered a governmental~~

diversity of the population of the district of voting age.

(b-1) If the local control commission is appointed in accordance with Subsection (a), the board shall appoint the following residents of the district to serve on the commission to frame a local control plan for the district:

(1) at least eight [A majority of the members appointed to the commission must be] parents of school-age children attending public school;

(2) at least two administrators employed by the district; and

(3) two [At least 25 percent of the commission must be] classroom teachers employed by the district [selected by the representatives of the professional staff pursuant to Section 11.251(e)].

(b-2) If the local control commission is appointed under Subsection (a-1), and the petition designates one or more persons as lead petitioner, the board and the lead petitioner shall each select for the commission:

(1) at least four parents of school-age children attending public school;

(2) at least one administrator employed by the district; and

(3) one classroom teacher employed by the district.

(b-3) The board may not refuse to appoint a member of a commission who is selected by the lead petitioner if the member is otherwise eligible to serve on the commission.

(b-4) If the local control commission is appointed under Subsection (a-1), and the petition does not designate one or more persons as lead petitioner, the board shall appoint the members of the local control commission in accordance with Subsection (b-1).

(c) The local control [charter] commission must complete a proposed local control plan [charter] not later than the first anniversary of the date of its appointment. After that date, the commission expires and the appointment under Section 12.014 is void.

(d) A local control [charter] commission appointed under this section is considered a

body for purposes of Chapters 551 and 552, Government Code.]

No equivalent provision.

Sec. 12.0151. DUTIES OF COUNTY CLERK ON RECEIPT OF PETITION. (a) On receipt of a petition under Section 12.015, the county clerk of the county in which the school district's central administrative office is located, in cooperation with the county clerk of any other county in which any part of the school district is located, shall verify that each signer of the petition is registered to vote in the school district.

(b) Not later than the 30th day after receipt of the petition, the county clerk shall certify to the board of trustees of the school district and the lead petitioner the percentage of registered voters of the district who signed the petition. The county clerk's certification is a public record.

Sec. 12.0152. SUBMISSION OF ADDITIONAL SIGNATURES; FINAL CERTIFICATION BY COUNTY CLERK.

(a) If the county clerk certifies that less than five percent of the registered voters of the school district signed the petition submitted to the board of trustees of the school district under Section 12.015, the lead petitioner may submit one tranche of additional signatures in support of the petition to the county clerk not later than the 30th day after the date of the clerk's certification.

(b) On receipt of additional signatures from the lead petitioner, the county clerk shall verify the additional signatures and, not later than the 30th day after the date of receipt of the additional signatures, certify to the board of trustees of the school district and the lead petitioner the percentage of registered voters of the district who signed the petition, as supplemented by the additional signatures. The county clerk's certification is a public record.

Sec. 12.0153. SUIT TO CONTEST VERIFICATION OF SIGNATURES. Any

governmental body for purposes of Chapters 551 and 552, Government Code.

(e) A local control commission shall hold at least three public hearings to allow interested persons to present comments related to the proposed local control plan developed by the commission. The commission shall provide notice of each public hearing to the public.

No equivalent provision.

No equivalent provision.

No equivalent provision.

suit to contest the verification of signatures for a petition must be filed not later than the 30th day after the date of the county clerk's final certification.

Sec. 12.016. CONTENT. (a) Each local control plan [~~home rule school district charter~~] must:

(1) describe the educational program to be offered;

(2) provide that continuation of the local control [~~home rule~~] school district [~~charter~~] is contingent on:

(A) acceptable student performance on assessment instruments adopted under Subchapter B, Chapter 39; and

(B) compliance with other applicable accountability provisions under Chapter 39;

(3) specify any basis, in addition to a basis specified by this subchapter, on which the local control school district [~~charter~~] may be placed on probation or the local control plan may be revoked;

(4) describe the governing structure of the district and campuses, including:

(A) the number of members who will serve on the governing body of the district;

(B) the manner in which members of the governing body of the district are selected and removed from office;

(C) the manner in which vacancies on the governing body of the district are filled;

(D) the terms for which members of the governing body of the district serve; and

(E) whether the members of the governing body of the district serve staggered terms;

(5) specify any procedure or requirement, in addition to those under Chapter 38, that the district will follow to ensure the health and safety of students and employees;

(6) describe the process by which the district will adopt an annual budget, including a description of the use of program-weight funds; and

(7) describe the manner in which an annual audit of financial and programmatic operations of the district is to be conducted, including the manner in which the district will provide information necessary for the district to participate in the Public Education Information Management System (PEIMS) to the extent required by this subchapter[; and

~~[(8) include any other provision the charter commission considers necessary].~~

Sec. 12.016. CONTENT. (a) Each local control plan [~~home rule school district charter~~] must:

(1) describe the educational program to be offered;

(2) provide that continuation of the local control [~~home rule~~] school district [~~charter~~] is contingent on:

(A) acceptable student performance on assessment instruments adopted under Subchapter B, Chapter 39; and

(B) compliance with other applicable accountability provisions under Chapter 39;

(3) specify any basis, in addition to a basis specified by this subchapter, on which the local control school district [~~charter~~] may be placed on probation or the local control plan may be revoked;

(4) describe the governing structure of the district and campuses;

(5) specify any procedure or requirement, in addition to those under Chapter 38, that the district will follow to ensure the health and safety of students and employees;

(6) describe the process by which the district will adopt an annual budget, including a description of the use of program-weight funds;

(7) describe the manner in which an annual audit of financial and programmatic operations of the district is to be conducted, including the manner in which the district will provide information necessary for the district to participate in the Public Education Information Management System (PEIMS) to the extent required by this subchapter; and

(8) include any other provision the charter commission considers necessary.

(b) This section does not limit the permissible content of a local control plan.

Sec. 12.017. DETERMINATION OF COMPLIANCE WITH VOTING RIGHTS ACT. (a) If a local control plan is proposed by the board of trustees of a school district, the board may [~~The charter commission shall~~] submit the proposed local control plan [~~charter~~] to the secretary of state. The secretary of state shall determine whether a proposed local control plan requires preclearance under federal law [~~charter contains a change in the governance of the school district~~].

(b) If a local control plan is proposed by petition, the lead petitioner may submit the proposed local control plan to the secretary of state. The secretary of state shall determine whether a proposed local control plan requires preclearance under federal law.

(c) If the secretary of state determines that a proposed local control plan requires preclearance under federal law [~~charter contains a change in the governance of the school district~~], the secretary of state shall, not later than the second working day after the date the secretary of state makes that determination, [~~notify the board of trustees of the school district. The board shall~~] submit the proposed local control plan [~~change~~] to the United States Department of Justice or the United States District Court for the District of Columbia for preclearance under the Voting Rights Act (52 U.S.C. Section 10101 et seq.) [~~(42 U.S.C. Section 1973c et seq.)~~].

Sec. 12.018. TECHNICAL [~~LEGAL~~] REVIEW. (a) Not later than the fifth day after the date the board of trustees of a school district adopts a resolution or receives a petition and local control plan under Section 12.014, the board [~~The charter commission~~] shall submit the

(b) A local control plan may include provisions that impose requirements on the district that are similar or identical to federal or state laws that a local control school district is not otherwise subject to under Section 12.012. A requirement imposed under this subsection is not a school law of this state for purposes of Section 7.057 and does not create an entitlement to a hearing under Subchapter F or G, Chapter 21.

[~~Sec. 12.017. DETERMINATION OF COMPLIANCE WITH VOTING RIGHTS ACT. (a) The charter commission shall submit the proposed charter to the secretary of state. The secretary of state shall determine whether a proposed charter contains a change in the governance of the school district.~~]

No equivalent provision.

[~~(b) If the secretary of state determines that a proposed charter contains a change in the governance of the school district, the secretary of state shall, not later than the second working day after the date the secretary of state makes that determination, notify the board of trustees of the school district. The board shall submit the proposed change to the United States Department of Justice or the United States District Court for the District of Columbia for preclearance under the Voting Rights Act (42 U.S.C. Section 1973c et seq.)~~].

Sec. 12.018. LEGAL REVIEW.

The local control [~~charter~~] commission shall

proposed local control plan [charter] to the commissioner for review.

(b) As soon as practicable, but not later than the 30th day after the date the commissioner receives the proposed local control plan [charter], the commissioner shall review the proposed local control plan for compliance [charter to ensure that the proposed charter complies] with any applicable state and federal laws and shall provide written notification to the board of trustees of the school district and the lead petitioner, if applicable, of the results of the review, including any recommended technical amendments for compliance with state or federal law [recommend to the charter commission any modifications necessary].

(c) If the commissioner does not act within the prescribed time, it is presumed that the commissioner has determined that the proposed local control plan [charter] is in compliance with applicable state and federal laws [approved]. The commissioner will be considered to have notified the board of trustees of the school district of the commissioner's determination on the 30th day after the date the commissioner received the proposed local control plan.

Sec. 12.0181. DESIGNATING PROPOSED LOCAL CONTROL PLAN AS FINAL. (a) If the local control plan was proposed by the board of trustees of a school district, the board shall, not later than the 30th day after the date of receipt of the commissioner's recommendations under Section 12.018, accept or reject any technical amendments recommended by the commissioner and designate the local control plan as final.

(b) If the local control plan was proposed by petition, the lead petitioner or a majority of persons originally designated as lead petitioners may, not later than the 45th day after the date of receipt of the commissioner's recommendations under Section 12.018, notify the board of trustees of the school district in writing that the lead petitioner or majority accepts or rejects any technical amendments recommended by the commissioner and designate the local control plan as final. If the board of trustees does not receive written notice under this subsection, the board of trustees shall accept all technical amendments recommended by the commissioner and designate the local

submit the proposed local control plan [charter] to the commissioner.

As soon as practicable, but not later than the 30th day after the date the commissioner receives the proposed local control plan [charter], the commissioner shall review the proposed local control plan [charter] to ensure that the proposed local control plan [charter] complies with any applicable laws and shall recommend to the local control [charter] commission any modifications necessary. If the commissioner does not act within the prescribed time, the proposed local control plan [charter] is approved.

No equivalent provision.

No equivalent provision.

control plan as final.

(c) If the commissioner does not recommend any technical amendments under Section 12.018, the proposed local control plan is considered final on receipt of the commissioner's notification.

Sec. 12.019. LOCAL CONTROL PLAN [CHARTER] ELECTION. (a) The board of trustees of a school district shall order an election on the local control plan not later than the 15th day after the date the board receives notice from the county clerk certifying that at least five percent of the registered voters of the district have signed the petition under Section 12.0151 or 12.0152 and the local control plan is designated as final under Section 12.0181 [As soon as practicable after approval of a home-rule school district charter under Section 12.018, the board of trustees of the district shall order an election on the proposed charter].

(b) The proposed local control plan [charter] shall be submitted to the voters of the district at an election to be held on the first uniform election date in November of an even-numbered year that occurs at least 78 [45] days after the date on which the board of trustees orders the election.

(c) If the local control plan was proposed by the board of trustees of the school district, the ballot shall be printed to permit voting for or against the proposition "Whether the (name of school district) School District shall be governed under the local control plan that is proposed by the board of trustees and under which only certain laws and rules apply to the district." [At least three copies of the proposed charter must be available in the office of each school campus in the district and at the district's central administrative office between the date of the election order and election day. Notice of the election must include a statement of where and how copies may be obtained or viewed. A summary of the content of the proposed charter shall be attached to each copy. The summary also shall be made available to school district employees, parents, community members, and members of the media.]

Sec. 12.019. LOCAL CONTROL PLAN [CHARTER] ELECTION.

(a) As soon as practicable after approval of a proposed local control plan [home-rule school district charter] under Section 12.018, the board of trustees of the district shall order an election on the proposed local control plan [charter].

(b) The proposed local control plan [charter] shall be submitted to the voters of the district at an election to be held on the first uniform election date in November of an even-numbered year that occurs at least 78 [45] days after the date on which the board of trustees orders the election.

(d) The ballot shall be printed to permit voting for or against the proposition "Whether the (name of school district) School District shall be governed under the local control plan [home-rule school district charter], which is proposed by a local control [charter] commission appointed by the board of trustees and under which only certain laws and rules apply to the district."

(d) If the local control plan was proposed by petition, the [The] ballot shall be printed to permit voting for or against the proposition "Whether the (name of school district) School District shall be governed under the local control plan that [~~home-rule school district charter, which~~] is proposed by a petition of (percentage of valid signatures of registered voters on the petition) percent of registered voters of the school district [~~charter commission appointed by the board of trustees~~] and under which only certain laws and rules apply to the district."

(See Section 12.019 (d) above.)

(e) If two or more local control plans are submitted to the voters, the board of trustees of the school district shall request that the county clerk include neutral ballot language to allow voters to distinguish between the plans. If two or more local control plans are approved at the same election, the plan receiving the highest affirmative vote prevails.

No equivalent provision.

Sec. 12.0191. NOTICE OF LOCAL CONTROL PLAN ELECTION.

(a) At least three copies of the proposed local control plan must be available in the office of each campus in the school district and at the district's central administrative office between the date of the election order and election day.

Notice of the election must include a statement of where and how copies may be obtained or viewed. A summary of the content of the proposed local control plan shall be attached to each copy. The summary also shall be made available to school district employees, parents, community members, and members of the media.

(c) At least three copies of the proposed local control plan [~~charter~~] must be available in the office of each school campus in the district and at the district's central administrative office between the date of the election order and election day.

Notice of the election must include a statement of where and how copies may be obtained or viewed. A summary of the content of the proposed local control plan [~~charter~~] shall be attached to each copy. The summary also shall be made available to school district employees, parents, community members, and members of the media.

(b) At the time the board of trustees of the school district orders an election on the proposed local control plan, the school district shall post on the district's Internet website a copy of the proposed local control plan, a summary of the content of the proposed plan, and a notice of the election. These items shall remain posted on the school district's Internet website until the election is held.

No equivalent provision.

(c) The school district and each campus in the district shall prominently display and maintain on the main page of the district's or

No equivalent provision.

campus's Internet website a link to the Internet website containing the information required under Subsection (b).

Sec. 12.020. LOCAL CONTROL PLAN [~~CHARTER~~] AMENDMENT. (a)

The governing body of a local control [~~home-rule~~] school district on its own motion may submit a proposed [~~charter~~] amendment to the local control plan that complies with this subchapter to the commissioner for technical [~~legal~~] review.

(b)

The governing body shall submit a proposed [~~charter~~] amendment to the local control plan that complies with this subchapter to the commissioner for technical [~~legal~~] review if a petition submitted to the governing body proposing the [~~charter~~] amendment is signed by at least five percent of the registered voters of the district. The petition must designate one or more persons as a lead petitioner.

(c) As soon as practicable, but not later than the 30th day after the date on which the requirements [~~for an election~~] under Subsection (a) or (b) are satisfied, the commissioner shall review the proposed amendment to ensure that the proposed amendment complies with any applicable state and federal laws and shall recommend any modifications necessary in accordance with Section 12.018. If the commissioner does not act within the prescribed time, the proposed [~~charter~~] amendment is considered to be in compliance with applicable state and federal laws [~~approved~~].

(d) The governing body or lead petitioner, as applicable, may accept or reject any proposed modifications and designate the amendment as final through the process described by Section 12.0181. As soon as practicable, but not later than the 15th day after the date an amendment is designated as final [~~commissioner review under Subsection (e)~~], the governing body of the

Sec. 12.020. LOCAL CONTROL PLAN [~~CHARTER~~] AMENDMENT. (a) At any time after the fourth year that a school district has operated under a local control plan, the [~~The~~] governing body of the local control [~~a home-rule~~] school district on its own motion may submit a proposed [~~charter~~] amendment to the local control plan that complies with this subchapter to the commissioner for legal review.

(b) A petition to amend a local control plan may be submitted to the governing body of the district at any time after the fourth year that the district has operated under the local control plan. On receipt of a petition, the [~~The~~] governing body shall submit a proposed [~~charter~~] amendment that complies with this subchapter to the commissioner for legal review if the [~~a~~] petition [~~submitted to the governing body proposing the charter amendment~~] is signed by at least five percent of the registered voters of the district. The petition must designate one or more persons as lead petitioner.

(c) As soon as practicable, but not later than the 30th day after the date on which the requirements [~~for an election~~] under Subsection (a) or (b) are satisfied, the commissioner shall review the proposed amendment to ensure that the proposed amendment complies with any applicable laws and shall recommend any modifications necessary. If the commissioner does not act within the prescribed time, the proposed [~~charter~~] amendment is approved.

(d) As soon as practicable after commissioner review under Subsection (c), the governing body of the district shall order an election on the proposed amendment.

district shall order an election on the proposed amendment.

(e) An election under this section shall be held on the first uniform election date in November of an even-numbered year that occurs at least 78 [45] days after the date the election is ordered.

(f) Notice of the election must include a substantial copy of the proposed [charter] amendment to the local control plan.

(g) An [A-charter] amendment to a local control plan may not contain more than one subject.

(h) The ballot shall be prepared so that a voter may approve or disapprove any one or more [charter] amendments to a local control plan without having to approve or disapprove all of the [charter] amendments to a local control plan.

(i) The governing body may not order an election on a proposed [charter] amendment to a local control plan earlier than the first anniversary of the date of any previous election to amend the plan [charter].

~~(j) Section 12.017 applies to a proposed [charter] amendment to a local control plan[, except that the governing body shall submit the proposed charter amendment to the secretary of state].~~

Sec. 12.021. ADOPTION OF LOCAL CONTROL PLAN [CHARTER] OR [CHARTER] AMENDMENT. (a) A [Subject to Section 12.022, a] proposed local control plan [home-rule school district charter] or a proposed [charter] amendment to a local control plan is adopted if approved by a majority of the registered [qualified] voters of the district voting at an election held for that purpose.

(b) A local control plan [charter] or [charter] amendment to a local control plan shall specify an effective date and takes effect according to its terms when the board of trustees or governing body of the school district enters an order declaring that the plan [charter] or [charter] amendment is adopted. The board of trustees or governing body shall enter an order not later than the

(e) An election under this section shall be held on the first uniform election date in November of an even-numbered year that occurs at least 78 [45] days after the date the election is ordered.

(f) Notice of the election must include a substantial copy of the proposed [charter] amendment to the local control plan.

(g) An [A-charter] amendment to a local control plan may not contain more than one subject.

(h) The ballot shall be prepared so that a voter may approve or disapprove any one or more [charter] amendments to a local control plan without having to approve or disapprove all of the [charter] amendments to a local control plan.

(i) The governing body may not order an election on a proposed [charter] amendment to a local control plan earlier than the first anniversary of the date of any previous election to amend the plan [charter].

~~[(j) Section 12.017 applies to a proposed charter amendment, except that the governing body shall submit the proposed charter amendment to the secretary of state.]~~

Sec. 12.021. ADOPTION OF LOCAL CONTROL PLAN [CHARTER] OR [CHARTER] AMENDMENT. (a) A [Subject to Section 12.022, a] proposed local control plan [home-rule school district charter] or a proposed [charter] amendment to a local control plan is adopted if approved by a majority of the qualified voters of the district voting at an election held for that purpose.

(b) A local control plan [charter] or [charter] amendment to a local control plan shall specify an effective date, which may not be earlier than the end of the school year during which the election to adopt a local control plan or amendment to a local control plan occurs. A local control plan or amendment to a local control plan [and] takes effect according to its terms when the

10th day after the date the canvass of the election returns is completed.

(c) As soon as practicable after a school district adopts a local control plan or amendment to a local control plan [~~home-rule school district charter or charter amendment~~], the board of trustees or governing body shall notify the commissioner of the outcome of the election.

Sec. 12.022. [~~MINIMUM VOTER TURNOUT REQUIRED.~~]

[~~Sec. 12.023.] CERTIFICATION OF LOCAL CONTROL PLAN OR AMENDMENT [CHARTER OR CHARTER AMENDMENT].~~

(a) As soon as practicable after a school district adopts a local control plan or amendment to a local control plan [~~home-rule school district charter or charter amendment~~], the president of the board of trustees or presiding officer of the governing body shall certify to the secretary of state a copy of the plan [~~charter~~] or amendment showing the approval by the voters of the district.

(b) The secretary of state shall file and record the certification in the secretary of state's office.

Sec. 12.023 [~~12.024~~]. EFFECT OF RECORDING LOCAL CONTROL PLAN OR AMENDMENT [~~CHARTER OR CHARTER AMENDMENT~~].

A recorded local control plan or amendment to a local control plan [~~charter or charter amendment~~] is a public act. A court shall take judicial notice of a recorded plan [~~charter~~] or [~~charter~~] amendment, and proof is not required of its provisions.

Sec. 12.024 [~~12.025~~]. GOVERNANCE. (a) A local control [~~home-rule~~] school district may adopt and operate under any governing structure.

(b) In conformity with the local control plan, the governing body of the [~~The~~]

board of trustees or governing body of the school district enters an order declaring that the plan [~~charter~~] or [~~charter~~] amendment is adopted. The board of trustees or governing body shall enter an order not later than the 10th day after the date the canvass of the election returns is completed.

(c) As soon as practicable after a school district adopts a local control plan or amendment to a local control plan [~~home-rule school district charter or charter amendment~~], the board of trustees or governing body shall notify the commissioner of the outcome of the election.

Sec. 12.022. [~~MINIMUM VOTER TURNOUT REQUIRED.~~]

[~~Sec. 12.023.] CERTIFICATION OF CHARTER OR CHARTER AMENDMENT.~~

(a) As soon as practicable after a school district adopts a home-rule school district charter or charter amendment, the president of the board of trustees shall certify to the secretary of state a copy of the charter or amendment showing the approval by the voters of the district.

(b) The secretary of state shall file and record the certification in the secretary of state's office.

[~~Sec. 12.024.] EFFECT OF RECORDING CHARTER OR CHARTER AMENDMENT.~~

A recorded charter or charter amendment is a public act. A court shall take judicial notice of a recorded charter or charter amendment and proof is not required of its provisions.

[~~Sec. 12.025.] GOVERNANCE. (a) A local control [~~home-rule~~] school district may adopt and operate under any governing structure.~~

(b) In conformity with the local control plan, the governing body of the [~~The~~]

district may:

- (1) create offices;
- (2) determine the time and method for selecting officers; and
- (3) prescribe the qualifications and duties of officers.

~~[(c) The term of any officer of the district is determined under Section 11.059.]~~

Sec. 12.025 ~~[12.026]~~. CHANGE IN GOVERNING BODY.

Sec. 12.026 ~~[12.027]~~. BASIS FOR PLACEMENT ON PROBATION OR REVOCATION OF LOCAL CONTROL PLAN ~~[CHARTER]~~.

Sec. 12.027 ~~[12.028]~~. PROCEDURE FOR PLACEMENT ON PROBATION OR REVOCATION.

Sec. 12.028 ~~[12.029]~~. STATUS OF DISTRICT IN CASE OF ANNEXATION OR CONSOLIDATION.

Sec. 12.029 ~~[12.030]~~. RESCISSION OF LOCAL CONTROL PLAN ~~[CHARTER]~~.
(a) A local control plan ~~[home-rule school district charter]~~ may be rescinded as provided by this section.

(b) The governing body of the district shall order an election on the question of rescinding a local control plan ~~[home-rule school district charter]~~ if:

- (1) the governing body receives a petition requesting a rescission election signed by at least five percent of the registered voters of the district; or
- (2) at least two-thirds of the total membership of the governing body adopt a resolution ordering that a rescission election be held.

(c) As soon as practicable after the date of receipt or adoption of a resolution under Subsection (b), the governing body shall order an election.

(d) The proposition to rescind the local control plan ~~[home-rule school district charter]~~ shall be submitted to the voters of

district may:

- (1) create offices;
- (2) determine the time and method for selecting officers; ~~and~~
- (3) prescribe the qualifications and duties of officers; and
- (4) prescribe procedures to recall or remove members or officers.

~~(c) Subject to Subsection (b)(4), the [The] term of any member of the governing body ~~[officer]~~ of the district is determined under Section 11.059.~~

Sec. 12.023 ~~[12.026]~~. CHANGE IN GOVERNING BODY.

Sec. 12.024 ~~[12.027]~~. BASIS FOR PLACEMENT ON PROBATION OR REVOCATION OF LOCAL CONTROL PLAN ~~[CHARTER]~~.

Sec. 12.025 ~~[12.028]~~. PROCEDURE FOR PLACEMENT ON PROBATION OR REVOCATION.

Sec. 12.026 ~~[12.029]~~. STATUS OF DISTRICT IN CASE OF ANNEXATION OR CONSOLIDATION.

Sec. 12.027 ~~[12.030]~~. RESCISSION OF LOCAL CONTROL PLAN ~~[CHARTER]~~.
(a) A local control plan ~~[home-rule school district charter]~~ may be rescinded as provided by this section.

(b) The governing body of the district shall order an election on the question of rescinding a local control plan ~~[home-rule school district charter]~~ if:

- (1) the governing body receives a petition requesting a rescission election signed by at least five percent of the registered voters of the district; or
- (2) at least two-thirds of the total membership of the governing body adopt a resolution ordering that a rescission election be held.

(c) As soon as practicable after the date of receipt or adoption of a resolution under Subsection (b), the governing body shall order an election.

(d) The proposition to rescind the local control plan ~~[home-rule school district charter]~~ shall be submitted to the voters of

the district at an election to be held on the first uniform election date in November of an even-numbered year that occurs at least 78 ~~[45]~~ days after the date on which the governing body orders the election.

(e) The ballot shall be printed to permit voting for or against the proposition: "Whether the local control plan ~~[home rule school district charter]~~ of (name of school district) shall be rescinded so that the school district becomes an independent school district."

(f) A local control plan ~~[home rule school district charter]~~ is rescinded if the rescission is approved by a majority of the registered ~~[qualified]~~ voters of the district voting at an election held for that purpose ~~[at which at least 25 percent of the registered voters of the district vote]~~.

(g) The rescission takes effect on a date established by resolution of the governing body but not later than the 90th day after the date of an election held under this section at which rescission of the local control plan ~~[charter]~~ is approved ~~[and at which the number of registered voters required under Subsection (f) vote]~~. As soon as practicable after that election, the governing body shall notify the commissioner and the secretary of state of the results of the election and of the effective date of the rescission.

(h) The rescission of a local control plan ~~[home rule school district charter]~~ under this section does not affect:
(1) the district's boundaries; or
(2) taxes or bonds of the district authorized before the effective date of the rescission.

SECTION 6. Section 12.051(2), Education Code, is amended.

SECTION 7. Section 12.052(a), Education Code, is amended.

SECTION 8. Section 12.0521(a), Education Code, is amended.

SECTION 9. Section 12.0522(a), Education Code, is amended.

the district at an election to be held on the first uniform election date in November of an even-numbered year that occurs at least 78 ~~[45]~~ days after the date on which the governing body orders the election.

(e) The ballot shall be printed to permit voting for or against the proposition: "Whether the local control plan ~~[home rule school district charter]~~ of (name of school district) shall be rescinded so that the school district becomes an independent school district."

(f) A local control plan ~~[home rule school district charter]~~ is rescinded if the rescission is approved by a majority of the qualified ~~[registered]~~ voters of the district voting at an election held for that purpose ~~[at which at least 25 percent of the registered voters of the district vote]~~.

(g) The rescission takes effect on a date established by resolution of the governing body but not earlier than the end of the school year during which the election to rescind the local control plan occurs ~~[later than the 90th day after the date of an election held under this section at which rescission of the charter is approved and at which the number of registered voters required under Subsection (f) vote]~~. As soon as practicable after that election, the governing body shall notify the commissioner and the secretary of state of the results of the election and of the effective date of the rescission.

(h) The rescission of a local control plan ~~[home rule school district charter]~~ under this section does not affect:
(1) the district's boundaries; or
(2) taxes or bonds of the district authorized before the effective date of the rescission.

SECTION 6. Same as introduced version.

SECTION 7. Same as introduced version.

SECTION 8. Same as introduced version.

SECTION 9. Same as introduced version.

SECTION 10. Section 12.101(a), Education Code, is amended.

SECTION 10. Same as introduced version.

SECTION 11. Sections 22.003(d) and (e), Education Code, are amended.

SECTION 11. Same as introduced version.

SECTION 12. Section 37.007(e), Education Code, is amended.

SECTION 12. Same as introduced version.

SECTION 13. Section 37.022(a)(2), Education Code, is amended.

SECTION 13. Same as introduced version.

SECTION 14. Section 38.152, Education Code, is amended.

SECTION 14. Same as introduced version.

SECTION 15. Section 38.157(c), Education Code, is amended.

SECTION 15. Same as introduced version.

SECTION 16. Section 38.158(f), Education Code, is amended.

SECTION 16. Same as introduced version.

SECTION 17. Section 39.102(a), Education Code, is amended.

SECTION 17. Same as introduced version.

SECTION 18. Section 42.152(c), Education Code, is amended.

SECTION 18. Same as introduced version.

SECTION 19. Section 41.0052, Election Code, is amended.

SECTION 19. Same as introduced version.

SECTION 20. Section 7.102(c)(8), Education Code, is repealed.

SECTION 20. Same as introduced version.

SECTION 21. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SECTION 21. Same as introduced version.