

By: Taylor of Collin

S.B. No. 478

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a requirement that a school district or open-enrollment
3 charter school terminate certain employees convicted of certain
4 offenses.

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

6 SECTION 1. Sections 21.058(c), (c-1), and (c-2), Education
7 Code, are amended to read as follows:

8 (c) A school district or open-enrollment charter school
9 that receives notice under Subsection (b) of the revocation of a
10 certificate issued under this subchapter shall:

11 (1) immediately remove the person whose certificate
12 has been revoked from campus or from an administrative office, as
13 applicable, to prevent the person from having any contact with a
14 student; and

15 (2) if the person is employed under a probationary,
16 continuing, or term contract under this chapter, on the action of
17 the board of trustees or governing body or a designee of the board
18 or governing body:

19 (A) suspend the person without pay;

20 (B) provide the person with written notice that
21 the person's contract is void as provided by Subsection (c-2); and

22 (C) terminate the employment of the person as
23 soon as practicable.

24 (c-1) If a school district or open-enrollment charter

1 school becomes aware that a person employed by the district or
2 school under a probationary, continuing, or term contract under
3 this chapter has been convicted of or received deferred
4 adjudication for a felony offense, and the person is not subject to
5 Subsection (c), the district or school may, on the action of the
6 board of trustees or governing body or a designee of the board or
7 governing body:

8 (1) suspend the person without pay;

9 (2) provide the person with written notice that the
10 person's contract is void as provided by Subsection (c-2); and

11 (3) terminate the employment of the person as soon as
12 practicable.

13 (c-2) A person's probationary, continuing, or term contract
14 is void if, on the action of the board of trustees or governing body
15 or a designee of the board or governing body, the school district or
16 open-enrollment charter school takes action under Subsection
17 (c)(2)(B) or (c-1)(2).

18 SECTION 2. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2017.