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By:  Bettencourt S.B. No. 1385

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the board of trustees of an independent school district and the election of trustees of certain school districts.

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

SECTION 1.  Section 11.052, Education Code, is amended by adding Subsection (b-2) and amending Subsection (d) to read as follows:

(b-2)  Subsections (a) and (c) do not apply in the case of an order adopted under this subsection. The board of trustees of an independent school district with the largest student enrollment in a county with a population of 3.3 million or more shall order that trustees of the district are to be elected as follows:

(1)  four trustees elected from the district at large; and

(2)  five trustees elected from single-member trustee districts.

(d)  An order of the board adopted under Subsection (a), [~~or~~] (b), or (b-2) must be entered not later than the 120th day before the date of the first election at which all or some of the trustees are elected from single-member trustee districts authorized by the order.

SECTION 2.  Subchapter C, Chapter 11, Education Code, is amended by adding Section 11.0582 to read as follows:

Sec. 11.0582.  RESIGNATION FOR CANDIDACY OF ANOTHER OFFICE. (a) The board of trustees of an independent school district may by a two-thirds vote adopt a resolution requiring a member of the board of trustees to resign from the board before running for another elected office. The board of trustees shall adopt procedures for implementing this section.

(b)  A board of trustees that adopts a requirement under this section may by a two-thirds vote eliminate the requirement.

SECTION 3.  Section 11.162(c), Education Code, is amended to read as follows:

(c)  A parent or guardian of a student assigned to attend a school at which students are required to wear school uniforms may choose for the student to be exempted from the requirement or to transfer to a school at which students are not required to wear uniforms and at which space is available if the parent or guardian provides a written statement that, as determined by the board of trustees or the board's designee, states a bona fide religious or philosophical objection to the requirement.

SECTION 4.  Section 28.0214, Education Code, is amended to read as follows:

Sec. 28.0214.  FINALITY OF GRADE. (a) An examination or course grade issued by a classroom teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with the school district grading policy applicable to the grade, as determined by the board of trustees, or the board's designee, of the school district in which the teacher is employed.

(b)  A determination by a school district board of trustees, or the board's designee, under Subsection (a) is not subject to appeal. This subsection does not prohibit an appeal related to a student's eligibility to participate in extracurricular activities under Section 33.081.

SECTION 5.  Sections 28.023(a), (b), (c), (c-1), (d), and (h), Education Code, are amended to read as follows:

(a)  Using guidelines established by the State Board of Education, a school district shall develop or select for review by the district board of trustees, or the board's designee, examinations for acceleration for each primary school grade level and for credit for secondary school academic subjects. The guidelines must provide for the examinations to thoroughly test comprehension of the information presented in the applicable grade level or subject. The board of trustees or the board's designee shall approve for each subject, to the extent available, at least four examinations that satisfy State Board of Education guidelines. The examinations approved by the board of trustees or the board's designee must include:

(1)  advanced placement examinations developed by the College Board; and

(2)  examinations administered through the College-Level Examination Program.

(b)  A school district shall give a student in a primary grade level credit for a grade level and advance the student one grade level on the basis of an examination for acceleration approved by the board of trustees or the board's designee under Subsection (a) if:

(1)  the student scores in the 80th percentile or above on each section of the examination;

(2)  a district representative recommends that the student be advanced; and

(3)  the student's parent or guardian gives written approval of the advancement.

(c)  A school district shall give a student in grade level six or above credit for a subject on the basis of an examination for credit in the subject approved by the board of trustees or the board's designee under Subsection (a) if the student scores in the 80th percentile or above on the examination or if the student achieves a score as provided by Subsection (c-1). If a student is given credit in a subject on the basis of an examination, the district shall enter the examination score on the student's transcript and the student is not required to take an end-of-course assessment instrument adopted under Section 39.023(c) for that subject.

(c-1)  A school district shall give a student in grade level six or above credit for a subject if the student scores:

(1)  a three or higher on an advanced placement examination approved by the board of trustees or the board's designee under Subsection (a) and developed by the College Board; or

(2)  a scaled score of 50 or higher on an examination approved by the board of trustees or the board's designee under Subsection (a) and administered through the College-Level Examination Program.

(d)  Each district shall administer each examination approved by the board of trustees or the board's designee under Subsection (a) not fewer than four times each year, at times to be determined by the State Board of Education.

(h)  This subsection applies only to a school district surrounded by a school district described by Section 11.065(a).  Notwithstanding any other provision of this section, a school district's board of trustees, or the board's designee, may establish a minimum required score for each section of an examination for acceleration or an examination for credit approved by the board or the board's designee under Subsection (a) that is higher than the minimum required scores under Subsections (b) and (c), respectively. A minimum required score established by a board of trustees or the board's designee under this subsection:

(1)  may be no greater than a score in the 90th percentile;

(2)  must be established before the beginning of a school year for examinations to be administered in the school year; and

(3)  must apply for at least the entire school year.

SECTION 6.  Sections 29.089(c) and (d), Education Code, are amended to read as follows:

(c)  The [~~board of trustees of the~~] district shall obtain the consent of a student's parent or guardian before allowing the student to participate in the program.

(d)  The [~~board of trustees of the~~] district may arrange for any public or nonprofit community-based organization to come to the district's schools and implement the program.

SECTION 7.  Section 29.183, Education Code, is amended to read as follows:

Sec. 29.183.  CAREER AND TECHNOLOGY AND OTHER EDUCATIONAL PROGRAMS. (a) A [~~The board of trustees of a~~] school district may conduct and supervise career and technology classes and other educational programs for students and for other persons of all ages and spend local maintenance funds for the cost of those classes and programs.

(b)  In developing a career and technology program, the district [~~board of trustees~~] shall consider the state plan for career and technology education required under Section 29.182.

SECTION 8.  Section 54.363(f), Education Code, is amended to read as follows:

(f)  The board of trustees, or the board's designee, of a school district shall establish a plan to encourage the hiring of educational aides who show a willingness to become certified teachers.

SECTION 9.  The board of trustees of a school district to which Section 11.052(b-2), Education Code, as added by this Act, applies shall adopt an order as required by that subsection not later than December 31, 2019.

SECTION 10.  This Act takes effect September 1, 2019.