

By: VanDeaver

H.B. No. 3862

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the removal of a member of the board of trustees of an  
3 independent school district.

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

5 SECTION 1. Subchapter C, Chapter 11, Education Code, is  
6 amended by adding Section 11.067 to read as follows:

7 Removal from Office. (a) In addition to Local Government Code  
8 section 87.013, a member of the board of trustees of an independent  
9 school district may be removed from office if the board of trustees,  
10 by three-fourths majority vote, passes a resolution of censure  
11 against the member finding that the member:

12 (1) intentionally misused school district funds;

13 (2) repeatedly refused to act in accordance with laws,  
14 regulations, or policies of the state of Texas relating to public  
15 school districts;

16 (3) repeatedly refused to act in accordance with the  
17 policies of the school district;

18 (4) intentionally disclosed information regarding a  
19 student that is confidential by law;

20 (5) used the member's office to attempt to influence an  
21 employee of the school district for the benefit of a student related  
22 to the member;

23 (6) failed to complete hourly training requirements as  
24 established by the State Board of Education or by rule of the

1 commissioner of education;

2 (7) failed to rescue himself or herself during a  
3 meeting of the board of trustees from voting on or deliberating on a  
4 matter in which the member has an objectively identifiable conflict  
5 of interest; or,

6 (8) habitually engaged in or attempted to engage in  
7 activities relating to school district personnel or a student that  
8 the board of trustees delegated to the superintendent of schools.

9 (b) The removal of a member of the board of trustees of an  
10 independent school district under this section is subject to  
11 chapter 87, Local Government Code.

12 SECTION 2. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2021.