

By: Bettencourt

S.B. No. 1361

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the election of the board of trustees of certain school
3 districts and the powers and duties of the board of trustees of
4 school districts.

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

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

9 (b-1) Subsections (a) and (c) do not apply in the case of an
10 order adopted under this subsection. The board of trustees of an
11 independent school district with the largest student enrollment in
12 a county with a population of 3.3 million or more shall order that
13 trustees of the district are to be elected as follows:

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

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

18 (d) An order of the board adopted under Subsection (a), ~~or~~
19 (b), or (b-1) must be entered not later than the 120th day before
20 the date of the first election at which all or some of the trustees
21 are elected from single-member trustee districts authorized by the
22 order.

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

1 Sec. 11.0582. RESIGNATION FOR CANDIDACY OF ANOTHER OFFICE.

2 (a) The board of trustees of an independent school district may by
3 a two-thirds vote adopt a resolution requiring a member of the board
4 of trustees to resign from the board before running for another
5 elected office. The board of trustees shall adopt procedures for
6 implementing this section.

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

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

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

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

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

27 (b) A determination by a school district board of trustees

1 or the board's designee under Subsection (a) is not subject to
2 appeal. This subsection does not prohibit an appeal related to a
3 student's eligibility to participate in extracurricular activities
4 under Section 33.081.

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

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

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

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

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

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

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

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

7 (c) A school district shall give a student in grade level
8 six or above credit for a subject on the basis of an examination for
9 credit in the subject approved by the board of trustees or the
10 board's designee under Subsection (a) if the student scores in the
11 80th percentile or above on the examination or if the student
12 achieves a score as provided by Subsection (c-1). If a student is
13 given credit in a subject on the basis of an examination, the
14 district shall enter the examination score on the student's
15 transcript and the student is not required to take an end-of-course
16 assessment instrument adopted under Section 39.023(c) for that
17 subject.

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

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

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

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

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

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

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

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

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

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

26 (d) The [~~board of trustees of the~~] district may arrange for
27 any public or nonprofit community-based organization to come to the

1 district's schools and implement the program.

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

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

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

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

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

19 SECTION 9. The board of trustees of a school district to
20 which Section 11.052(b-1), Education Code, as added by this Act,
21 applies shall adopt an order as required by that subsection not
22 later than December 31, 2021.

23 SECTION 10. This Act takes effect September 1, 2021.