

1 AN ACT

2 relating to the finality of a grade issued by a public school
3 teacher.

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

5 SECTION 1. Subchapter B, Chapter 28, Education Code, is
6 amended by adding Section 28.0212 to read as follows:

7 Sec. 28.0212. FINALITY OF GRADE. (a) An examination or
8 course grade issued by a classroom teacher is final and may not be
9 changed unless the grade is arbitrary, erroneous, or not consistent
10 with the school district grading policy applicable to the grade, as
11 determined by the board of trustees of the school district in which
12 the teacher is employed.

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

17 SECTION 2. This Act applies beginning with the 2003-2004
18 school year.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2003.

Rand Newkum

President of the Senate

Tom Carls

Speaker of the House

I certify that H.B. No. 1949 was passed by the House on April 10, 2003, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Robert Honey

Chief Clerk of the House

I certify that H.B. No. 1949 was passed by the Senate on May 13, 2003, by the following vote: Yeas 31, Nays 0.

Patsy Gaud

Secretary of the Senate

APPROVED:

2 JUNE · 03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:35pm O'CLOCK

JUN 02 2003
Ann Shea
Secretary of State