

BILL ANALYSIS

Senate Research Center
78R10739 CAS-D

H.B. 1113
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Education
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Engrossed

DIGEST AND PURPOSE

Currently, school districts seeking an alternative to discharging a teacher employed under a continuing contract, or terminating or nonrenewing a teacher employed under a term contract, have limited options. School districts may return the teacher to probationary contract status, but only with the teacher's consent, and only when such consent is given after the school district has provided prior written notice to the teacher of its intent to otherwise discharge, terminate, or nonrenew. H.B. 1113 creates a new option for school districts and teachers when faced with returning a teacher to probationary status by agreement.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.106, Education Code, by amending Subsection (b) and adding Subsection (d), as follows:

(b) Authorizes a teacher, except as provided by Subsection (d), to agree to be returned to probationary contract status only after receiving written notice that the board of trustees of the school district has proposed discharge, termination, or nonrenewal.

(d) Authorizes a teacher to agree to be returned to probationary contract status after receiving written notice of the superintendent's intent to recommend discharge, termination, or nonrenewal. Requires notice under this subsection to inform the teacher of the school district's offer to return the teacher to probationary contract status, the period during which the teacher may consider the offer, and the teacher's right to seek counsel. Requires the school district to provide the teacher at least three business days after the date the teacher receives notice under this subsection to agree to be returned to probationary contract status. Provides that this subsection does not require a superintendent to provide notice of an intent to recommend discharge, termination, or nonrenewal.

SECTION 2. Effective date: September 1, 2003.