

## **BILL ANALYSIS**

Senate Research Center  
79R8416 PAM-D

C.S.S.B. 387  
By: Wentworth  
Education  
3/16/2005  
Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Current law does not make provisions for job vacancies in school districts to be posted. As a result, members of the public and current district employees may find that a position was open only when the announcement is made that it has been filled. C.S.S.B. 387 requires school districts to allow employees an opportunity to apply for an open position by posting notice of job vacancies for at least 10 school days in the following places: on a bulletin board, at a place convenient to the public in the district's central administrative office; on the district's Internet website if the district has a website; and by publishing the position in a newspaper of general circulation in the district. C.S.S.B. 387 also allows the district to fill the position in an emergency situation.

### **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 11.163, Education Code, by amending Subsection (c) and adding Subsections (d) and (e) as follows:

(c) Authorizes a school district employment policy to include a provision for providing each current district employee with an opportunity to participate in a process for transferring to another school in or position with the district. Makes conforming changes.

(d) Requires the employment policy to provide that no later than the 10th school day before the date on which a district fills a vacant position, other than a position that affects the safety and security of students as determined by the board of trustees, the district is required to provide certain information regarding the position and a reasonable opportunity to apply for the position to each current district employee to whom Section 21.003 (Certification Required) applies.

(e) Requires the district to adhere to certain requirements, if during the school year it must fill a vacant position held by a teacher, as defined by Section 21.201 (Definitions), in less than 10 school days.

SECTION 2. Makes application of this Act prospective to the beginning of the 2005-2006 school year.

SECTION 3. Effective date: upon passage or September 1, 2005.