

## BILL ANALYSIS

Senate Research Center  
82R1890 VOO-D

S.B. 208  
By: Gallegos  
Education  
4/6/2011  
As Filed

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

The purpose of S.B. 208 is to allow for more transparency in the superintendent hiring process. Current law states that school districts must give notice of the name or names of finalists 21 days before the school board takes final action on the employment of the person. S.B. 208 changes the 21-day notice to 30 days.

S.B. 208 also requires school districts to hold two public forums, which must be held during the week after 5:00 p.m. or on a Saturday. During these forums the community will have an opportunity to ask questions of the finalist or finalists.

S.B. 208 does not require a school district to release more than one name, nor is any part of the superintendent hiring process changed until after a finalist has been named.

As proposed, S.B. 208 amends current law relating to public notice and forums concerning finalists for the position of superintendent of a school district.

### 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 Subchapter D, Chapter 11, Education Code, by adding Section 11.1514, as follows:

Sec. 11.1514. SUPERINTENDENT: PUBLIC NOTICE OF FINALISTS AND PUBLIC FORUM. (a) Requires the board of trustees of a school district (board), in accordance with Section 552.126, Government Code, to give notice of the name of each finalist the board is considering for the position of superintendent of the district.

(b) Requires a board considering superintendent finalists to hold at least two limited public forums at which, except as provided by Subsection (c), each finalist shall speak and parents of district students, teachers, and other community members may offer relevant information and opinions and ask relevant questions of any of the finalists. Authorizes the board to establish procedures for the public forum, including establishment of a reasonable maximum time limit for each speaker.

(c) Provides that a finalist is not required to speak at a public forum under Subsection (b) if the finalist is absent from the forum because of:

(1) a death in the finalist's family; or

(2) the illness of the finalist or of an immediate family member of the finalist.

(d) Requires that a forum under Subsection (b) be held on a Saturday or after 5 p.m. on a weekday after the date public notice under Subsection (a) is given and before the date of the meeting at which the board takes a final action or a vote on

the employment of a finalist as superintendent. Requires the board to give public notice of the subject matter, time, date, and place of each public forum not later than the fifth business day before the date the public forum is to be held.

SECTION 2. Amends Section 552.126, Government Code, to require the board to give public notice of the name or names of the finalists being considered for the position at least 30 days, rather than 21 days, before the date of the meeting at which a final action or vote is to be taken on the employment of the person.

SECTION 3. Make application of this Act prospective to October 31, 2011.

SECTION 4. Effective date: September 1, 2011.