

BILL ANALYSIS

Senate Research Center
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S.B. 550
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Section 552.126 (Exception: Name of Applicant for Superintendent of Public School District), Government Code, requires school districts to disclose the name or names of finalists for the position of superintendent at least 21 days prior to the school board's final vote. However, the law does not define who is considered a finalist for purposes of disclosure, and frequently a school district announces its intention to hire a "lone finalist," rather than announcing a list of finalists being considered.

S.B. 550 requires that the names of at least three finalists be released if the school board interviewed three or more people during the final round of interviews; or, if not more than two people were interviewed in the final round, that the name or names of all of the finalists be released. S.B. 550 also requires that an applicant be allowed to withdraw his or her name from consideration prior to the public notice.

As proposed, S.B. 550 amends current law relating to the required public notice of the names of a certain number of finalists for the position of superintendent of a public 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 Section 552.126, Government Code, as follows:

Sec. 552.126. EXCEPTION: NAME OF APPLICANT FOR SUPERINTENDENT OF PUBLIC SCHOOL DISTRICT. (a) Creates this subsection from existing text. Provides that, except as provided by Subsection (b), the name of an applicant for the position of superintendent of a public school district is excepted from the requirements of Section 552.021 (Availability of Public Information). Deletes existing text requiring the board of trustees to give public notice of the name or names of the finalists being considered for the position within a certain time frame.

(b) Requires the board of trustees, at least 21 days before the date of the meeting at which a final action or vote is to be taken on the employment of an applicant for the position of superintendent of a public school district, to give public notice of:

- (1) the names of at least three finalists being considered for the position, if the board of trustees interviewed three people or more during the final round of interviews for the position; or
- (2) the name or names of all the finalists being considered for the position, if the board of trustees interviewed not more than two people during the final round of interviews for the position.

(c) Requires the board of trustees, before the public notice required by Subsection (b) is posted, to give an applicant whose name will be included in the public notice an opportunity to withdraw from consideration for the position.

SECTION 2. Makes application of this Act prospective to October 1, 2011.

SECTION 3. Effective date: September 1, 2011.