

## **BILL ANALYSIS**

Senate Research Center  
83R10662 VOO-D

S.B. 1799  
By: Watson  
Education  
4/18/2013  
As Filed

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

Under Section 7.057 (Appeals) of the Education Code, a school district employee who has a grievance against the action of a school district may file an appeal with the commissioner of education (commissioner).

H.B. 829, 81st Legislature, Regular Session, 2009, added a requirement that certain appeals—those governed by Section 7.057(b)—must be decided by the commissioner within 180 days from the time the appeal is filed. Appeals under Section 7.057(b) involve school district detachment and annexation. However, there is not a similar timeline appeals under Section 7.057(c) regarding most school district employee grievances.

S.B. 1799 adds the same 180-day time limit to appeals under Section 7.057(c).

This subsection does not pertain to cases regarding educator contract non-renewal or termination, which are governed by timelines in Chapter 21 (Educators) of the Education Code.

As proposed, S.B. 1799 amends current law relating to the period of time allowed for issuance of decisions by the commissioner of education in certain appeals against school districts.

### **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 7.057(c), Education Code, to require the commissioner of education, in an appeal against a school district, to, not later than the 180th day after the date the appeal is filed, issue a decision based on a review of the record developed at the district level under a substantial evidence standard of review.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2013.