

BILL ANALYSIS

C.S.H.B. 1113
By: Crownover
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, 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. They may return the teacher to probationary contract status, but only with the teacher's consent, and only when such consent is given after the district has provided prior written notice to the teacher of their intent to otherwise discharge, terminate, or nonrenew.

PURPOSE

C.S.H.B. 1113 creates a less arduous option for school districts and teachers when faced with returning a teacher to probationary status by agreement.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency or institution.

ANALYSIS

C.S.H.B. 1113 amends the Education Code by providing that a teacher may agree to return to probationary contract status only after receiving written notice that the board of trustees of the school district has proposed discharge, termination, or nonrenewal, except as provided by Subsection (d). The bill adds Subsection (d) which provides that a teacher may agree to return to probationary contract status only after receiving written notice of the superintendent's intent to recommend discharge, termination, or nonrenewal. The bill sets forth requirements relating to the notice including, the number of days a district must provide the teacher to make his/her decision, the teacher's right to seek counsel, and that a teacher must be provided at least three business days after receiving notice to agree to be returned to a probationary contract. The bill does not require a superintendent to provide notice of an intent to recommend discharge, termination, or nonrenewal.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1113 modifies the original by removing provisions relating to a written agreement between the teacher and board of trustees of the district when returning a teacher to probationary status. C.S.H.B. 1113 modifies the original by providing that a teacher may agree to return to probationary contract status only

after receiving written notice that the board of trustees of the school district has proposed discharge, termination, or nonrenewal, except as provided in Subsection (d). C.S.H.B. 1113 modifies the original by adding Subsection (d) which sets forth requirements relating to notice of discharge, termination, or nonrenewal.