

## **BILL ANALYSIS**

C.S.H.B. 1254  
By: Crownover  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Independent hearing examiners under Subchapter F, Education Code, have broad authority on making a determination of whether "good cause" exists for termination of a teacher's employment contract. Some hearing examiners make findings that directly contradict a policy adopted by the local school board.

### **PURPOSE**

C.S.H.B. 1254 amends Subchapter F, Education Code, to provide, as in Subchapter E, that in making a determination concerning whether "good cause" exists for termination, the hearing examiner must consider the local school board's policy.

### **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. 1254 amends the Education Code by requiring a hearing examiner, when making a determination concerning whether good cause exists for termination of a teacher's employment contract, to consider any local school board policy consistent with the chapter on educators (Chapter 21, Education Code) concerning good cause for termination.

These provisions apply only to hearings under Subchapter F, Chapter 21, Education Code, beginning on or after September 1, 2003.

### **EFFECTIVE DATE**

September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

C.S.H.B. 1254 modifies the original by requiring a hearing examiner when making a determination, rather than a finding of fact, concerning whether good cause exists for termination of a teacher's employment contract, to consider any local school board policy consistent with the chapter on educators (Chapter 21, Education Code) concerning good cause for termination. C.S.H.B. 1254 modifies the original by deleting provisions that authorize the local school board or board subcommittee to reject or change a hearing examiner's finding of fact.

