

BILL ANALYSIS

Senate Research Center
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S.B. 1150
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Education
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DIGEST AND PURPOSE

According to the State Board for Educator Certification, the teacher shortage for the 2001-2002 school year was estimated to be anywhere between 37,000 and 40,000. This shortage is expected to get worse as more experienced teachers retire, and they are replaced by less experienced teachers, who have the highest attrition rate. Job sharing could provide a more flexible work schedule to retain qualified teachers who have left teaching prior to retirement or who are contemplating leaving in order to raise children, care for elderly parents, or retire early. As proposed, S.B. 1150 amends Chapter 21 of the Education Code by allowing school districts to adopt a policy authorizing job sharing or other alternative work schedules for certified educators. The bill also requires the commissioner of education to adopt rules regarding benefits, such as retirement and health benefits, necessary to facilitate job sharing. A retired educator will not be eligible for employment under this section.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the commissioner of education in SECTION 1 (Section 21.4011, Education Code) of this Act.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 21I, Education Code, by adding Section 21.4011, as follows:

Sec. 21.4011. JOB SHARING AND OTHER ALTERNATIVE WORK SCHEDULES.

(a) Authorizes the board of trustees of a school district, notwithstanding Section 21.401, to, in accordance with this section and subject to rules adopted by the commissioner of education (commissioner) under Subsection (c), adopt a policy authorizing job sharing or other alternative work schedules for educators employed by the district.

(b) Requires an educator employed under a local policy authorized by this section to meet certain requirements.

(c) Requires the commissioner to adopt rules necessary to facilitate job sharing or other alternative work schedules for educators in a school district that adopts a local policy authorized by this section, including rules regarding benefits for educators employed under the policy.

(d) Provides that to the extent practicable, benefits provided to an educator employed under a local policy authorized by this section must be allocated in an equitable manner. Provides that an educator who acts as a teacher in the classroom is entitled to an equitable allocation, as determined by the commissioner and local policy, of the benefits provided to a full-time classroom teacher, notwithstanding the educator's failure to teach in an instructional setting for at least the number of hours specified by Section 5.001(2).

(e) Provides that to be considered for employment under a local policy authorized by this section, an educator must submit a written request to the superintendent of the school district. Authorizes the superintendent to approve the request only if a majority of the district-level planning and decision-making committee established

under Section 11.251 consents to the request.

(f) Provides that a retired educator is not eligible for employment under this section.

SECTION 2. Provides that this Act applies beginning with the 2003-2004 school year.

SECTION 3. Effective date: upon passage or September 1, 2003.