

AN ACT

relating to the frequency of public school teacher appraisals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 21.203(a), Education Code, is amended to read as follows:

(a) Except as provided by Section 21.352(c), the ~~[The]~~ employment policies adopted by a board of trustees must require a written evaluation of each teacher at annual or more frequent intervals. The board must consider the most recent evaluations before making a decision not to renew a teacher's contract if the evaluations are relevant to the reason for the board's action.

SECTION 2. Section 21.352(c), Education Code, is amended to read as follows:

(c) Except as otherwise provided by this subsection, appraisal ~~[Appraisal]~~ must be done at least once during each school year. A teacher may be appraised less frequently if the teacher agrees in writing and the teacher's most recent evaluation rated the teacher as at least proficient, or the equivalent, and did not identify any area of deficiency. A teacher who is appraised less frequently than annually must be appraised at least once during each period of five school years. The district shall maintain a written copy of the evaluation of each teacher's performance in the teacher's personnel file. Each teacher is entitled to receive a written copy of the evaluation on its completion. After receiving a

1 written copy of the evaluation, a teacher is entitled to a second
2 appraisal by a different appraiser or to submit a written rebuttal
3 to the evaluation to be attached to the evaluation in the teacher's
4 personnel file. The evaluation and any rebuttal may be given to
5 another school district at which the teacher has applied for
6 employment at the request of that district.

7 SECTION 3. This Act applies beginning with the 2003-2004
8 school year.

9 SECTION 4. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I certify that H.B. No. 1440 was passed by the House on April 25, 2003, by the following vote: Yeas 146, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1440 on May 30, 2003, by the following vote: Yeas 139, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1440 was passed by the Senate, with amendments, on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor