

1-1 By: Eissler (Senate Sponsor - Van de Putte) H.B. No. 1440
1-2 (In the Senate - Received from the House April 28, 2003;
1-3 May 1, 2003, read first time and referred to Committee on
1-4 Education; May 19, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;
1-6 May 19, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1440 By: Van de Putte

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the frequency of public school teacher appraisals.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 21.203(a), Education Code, is amended to
1-13 read as follows:

1-14 (a) Except as provided by Section 21.352(c), the [The]
1-15 employment policies adopted by a board of trustees must require a
1-16 written evaluation of each teacher at annual or more frequent
1-17 intervals. The board must consider the most recent evaluations
1-18 before making a decision not to renew a teacher's contract if the
1-19 evaluations are relevant to the reason for the board's action.

1-20 SECTION 2. Section 21.352(c), Education Code, is amended to
1-21 read as follows:

1-22 (c) Except as otherwise provided by this subsection,
1-23 appraisal [Appraisal] must be done at least once during each school
1-24 year. A teacher may be appraised less frequently if the teacher
1-25 agrees in writing and the teacher's most recent evaluation rated
1-26 the teacher as at least proficient, or the equivalent, and did not
1-27 identify any area of deficiency. A teacher who is appraised less
1-28 frequently than annually must be appraised at least once during
1-29 each period of five school years. The district shall maintain a
1-30 written copy of the evaluation of each teacher's performance in the
1-31 teacher's personnel file. Each teacher is entitled to receive a
1-32 written copy of the evaluation on its completion. After receiving a
1-33 written copy of the evaluation, a teacher is entitled to a second
1-34 appraisal by a different appraiser or to submit a written rebuttal
1-35 to the evaluation to be attached to the evaluation in the teacher's
1-36 personnel file. The evaluation and any rebuttal may be given to
1-37 another school district at which the teacher has applied for
1-38 employment at the request of that district.

1-39 SECTION 3. This Act applies beginning with the 2003-2004
1-40 school year.

1-41 SECTION 4. This Act takes effect immediately if it receives
1-42 a vote of two-thirds of all the members elected to each house, as
1-43 provided by Section 39, Article III, Texas Constitution. If this
1-44 Act does not receive the vote necessary for immediate effect, this
1-45 Act takes effect September 1, 2003.

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