

By: Shapleigh

S.B. No. 1150

A BILL TO BE ENTITLED

AN ACT

relating to job sharing and other alternative work schedules for public school educators.

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

SECTION 1. Subchapter I, Chapter 21, Education Code, is amended by adding Section 21.4011 to read as follows:

Sec. 21.4011. JOB SHARING AND OTHER ALTERNATIVE WORK SCHEDULES. (a) Notwithstanding Section 21.401, the board of trustees of a school district may, in accordance with this section and subject to rules adopted by the commissioner under Subsection (c), adopt a policy authorizing job sharing or other alternative work schedules for educators employed by the district.

(b) An educator employed under a local policy authorized by this section must:

(1) hold a certificate issued under Subchapter B, Chapter 21;

(2) be paid at least an amount that complies with the minimum salary schedule prescribed by Section 21.402, as adjusted to reflect the number of hours worked, if the educator is a person to whom that section applies;

(3) work a number of hours at least equal to 50 percent of the total number of hours required to be worked by a full-time educator of the same class during the regular workweek, as determined by the board of trustees; and

1           (4) provide classroom instruction during at least 70  
2 percent of the total hours worked, if the educator acts as a teacher  
3 in the classroom, or work in direct contact with students for at  
4 least 70 percent of the total hours worked, if the educator does not  
5 act as a teacher in the classroom.

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

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

19           (e) To be considered for employment under a local policy  
20 authorized by this section, an educator must submit a written  
21 request to the superintendent of the school district. The  
22 superintendent may approve the request only if a majority of the  
23 district-level planning and decision-making committee established  
24 under Section 11.251 consents to the request.

25           (f) A retired educator is not eligible for employment under  
26 this section.

27           SECTION 2. This Act applies beginning with the 2003-2004

1 school year.

2 SECTION 3. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2003.