

## **BILL ANALYSIS**

C.S.H.B. 1325  
By: Eissler  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Public school employees remain citizens and constituents of the elected officials who represent them, including school board members. Numerous incidents of public school employees being actively discouraged, if not prohibited from, directly speaking with their elected school board members regarding matters relating to the operation of the public schools have been reported. Further, as policymakers, school board members are losing the value of the perspective of those who actually implement the policies they make. Better decisions come from informed leadership.

Board members who have received communications from district employees are permitted, pursuant to CSHB 1325, to raise their concerns at a board of trustees meeting at which time the trustees may direct the investigation of the substance of the inquiry for a subsequent report to the board. Permitting the identity of a district employee who has communicated with a trustee to be confidential allows employees to communicate freely without the fear of reprisals on the job. Better public policy can be made when trustees can communicate directly with those who are in the schools implementing policies. Trustees need to know what is happening in the schools they govern, and their information stream should not be restricted.

### **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**

CSHB 1325 provides that an employment policy may not restrict school district employees from communicating directly with a member of the board of trustees. The policy may prohibit communication during an employee's regular working hours or the operating hours of a district campus and an ex parte communication as designated.

### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

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

CSHB 1325 clarifies that an employment policy may not restrict the ability of a school district employee from communicating directly with a member of the board of trustees, exceptions to the policy are set forth. The substitute removes language as to keeping the identity of the employee confidential. Additionally the substitute removes that a member of the board of trustees may inquire about the substance of a communication from a district employee at a board of trustees meeting.