

BILL ANALYSIS

S.B. 387
By: Wentworth
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law does not make provisions for job vacancies in school districts to be posted. As a result, members of the public and current district employees may find that a position was open only when the announcement is made that it has been filled. S.B. 387 requires school districts to allow employees an opportunity to apply for an open position by posting notice of job vacancies for at least 10 school days in the following places: on a bulletin board, at a place convenient to the public in the district's central administrative office; on the district's Internet website if the district has a website; and by publishing the position in a newspaper of general circulation in the district. S.B. 387 also allows the district to fill the position in an emergency situation.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SB 387 amends the Education Code by authorizing a school district employment policy to include a provision for providing each current district employee an opportunity to participate in a process for transferring to another school in or position with the district. The employment policy must provide no later than the 10th school day before the date on which a district fills a vacant position, other than a position that affects the safety and security of students as determined by the board of trustees, the district is required to provide certain information regarding the position and a reasonable opportunity to apply for the position to each current district employee to whom Section 21.003 (Certification Required) applies.

This bill requires the district to adhere to certain requirements if a vacant position held by a teacher must be filled during the school year, as defined by Section 21.201 (Definitions), in less than 10 school days.

EFFECTIVE DATE

This Act applies beginning with the 2005 - 2006 school year.

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.