

By: Dutton

H.B. No. 438

A BILL TO BE ENTITLED

AN ACT

relating to termination or suspension without pay of certain public school district employees.

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

SECTION 1. Subchapter A, Chapter 22, Education Code, is amended by adding Section 22.008 to read as follows:

Sec. 22.008. TERMINATION OR SUSPENSION OF EDUCATIONAL SUPPORT EMPLOYEES. (a) In this section, "educational support employee" means an employee of a school district who is not entitled under Section 21.002 to be employed under a contract.

(b) A person who proposes to terminate the employment of or suspend without pay an educational support employee must submit to the superintendent written notice of the proposed action. The notice must include a statement of the reasons for the proposed action.

(c) On receipt of notice under Subsection (b), the superintendent shall reject or approve the proposed action. If the superintendent approves the proposed action, the superintendent or the person proposing the action must present the employee with a written copy of the notice.

SECTION 2. This Act applies beginning with the 2005-2006 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2005.