

By: King of Zavala

H.B. No. 1501

A BILL TO BE ENTITLED

AN ACT

1
2 relating to information provided by a superintendent or principal
3 regarding the performance of a school district or campus employee
4 to a prospective employer of the employee.

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

6 SECTION 1. Section 11.201, Education Code, is amended by
7 adding Subsection (f) to read as follows:

8 (f) A superintendent may provide information regarding the
9 performance of a current or former district employee to a
10 prospective employer of the employee.

11 SECTION 2. Section 11.202, Education Code, is amended by
12 adding Subsection (e) to read as follows:

13 (e) A principal may provide information regarding the
14 performance of a current or former campus employee to a prospective
15 employer of the employee.

16 SECTION 3. Section 21.355, Education Code, is amended to
17 read as follows:

18 Sec. 21.355. CONFIDENTIALITY. (a) Except as provided by
19 Subsection (b), a [A] document evaluating the performance of a
20 teacher or administrator is confidential.

21 (b) The principal of a school or superintendent of a school
22 district may discuss information contained in a document evaluating
23 the performance of an educator currently or formerly employed by
24 the school or district with a prospective employer of the educator.

1 SECTION 4. Section 22.0511, Education Code, is amended by
2 adding Subsection (e) to read as follows:

3 (e) A principal or superintendent is not personally liable
4 for a statement made in good faith by the principal or
5 superintendent regarding the performance of a current or former
6 employee to a prospective employer.

7 SECTION 5. Section 22.0511, Education Code, as amended by
8 this Act, applies only to information provided by a superintendent
9 or principal to the prospective employer of a current or former
10 school district or campus employee on or after the effective date of
11 this Act. Information provided by a superintendent or principal to
12 the prospective employer of a current or former school district or
13 campus employee before the effective date of this Act is governed by
14 the law in effect at the time the information was provided, and that
15 law is continued in effect for that purpose.

16 SECTION 6. This Act takes effect September 1, 2009.