

By: Anchia

H.B. No. 3442

A BILL TO BE ENTITLED

1 AN ACT
2 relating to effects of a decision not to retain an educator at a
3 reconstituted public school campus on the educator's employment
4 status.

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

6 SECTION 1. Section 39.1324(b), Education Code, is amended
7 to read as follows:

8 (b) The campus intervention team shall decide which
9 educators may be retained at that campus. A principal who has been
10 employed by the campus in that capacity during the full two-year
11 period described by Subsection (a) may not be retained at that
12 campus. A teacher of a subject assessed by an assessment instrument
13 under Section 39.023 may be retained only if the campus
14 intervention team determines that a pattern exists of significant
15 academic improvement by students taught by the teacher. If an
16 educator is not retained, the educator may be assigned to another
17 position in the district. The fact that an educator is not retained
18 under this subsection does not constitute good cause under Chapter
19 21 for suspension of the educator without pay, nonrenewal or
20 termination of the educator's contract, or discharge of the
21 educator.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 3442

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2009.