

## **BILL ANALYSIS**

C.S.H.B. 2380  
By: Shelton  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, if an employee on a continuing or term contract is reassigned to a new professional capacity within a school district, that person continues employment on a continuing or term contract. Interested parties say this occurs even though there is no guarantee that someone serving in one capacity will succeed in another. C.S.H.B. 2380 seeks to establish the flexibility necessary for a school district to keep the best personnel serving in key educational roles by changing statutes relating to employment by a school district of certain persons under probationary contracts.

### **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**

C.S.H.B. 2380 amends the Education Code to include among those required to be employed under a probationary contract a person who is employed by a school district in a new professional capacity that requires a different class of certificate from the State Board for Educator Certification than the class of certificate held by the person in the professional capacity in which the person was previously employed. The bill makes this provision inapplicable to a person who is returned by a district to a professional capacity in which the person was employed by the district before the district employed the person in the new professional capacity. The bill entitles such a person to be employed in the original professional capacity under the same contractual status as the status held by the person during the previous employment by the district in that capacity.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 2380 contains provisions not included in the original making the bill's inclusion of a particular person among those required to be employed by a school district under a probationary contract inapplicable to a person who is returned by a district to a professional capacity in which the person was employed by the district before the district employed the person in the new professional capacity and entitling such a person to be employed in the original professional capacity under the same contractual status as the status held by the person during the previous employment by the district in that capacity.