

By: Shelton

H.B. No. 2380

Substitute the following for H.B. No. 2380:

By: Huberty

C.S.H.B. No. 2380

A BILL TO BE ENTITLED

AN ACT

relating to employment by school districts of certain persons under probationary contracts.

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

SECTION 1. Section 21.102, Education Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) Except as provided by Section 21.202(b), the following persons shall be employed under a probationary contract:

(1) a person who is employed as a teacher by a school district for the first time;

(2) a person~~[, or]~~ who has not been employed by the district for two consecutive school years subsequent to August 28, 1967; and

(3) a person who is employed in a new professional capacity that requires a different class of certificate under Subchapter B than the class of certificate held by the person in the professional capacity in which the person was previously employed~~[, or shall be employed under a probationary contract]~~.

(a-1) Subsection (a)(3) does not apply to a person who is returned by a school 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 as described by that subdivision. A person described by this subsection is

1 entitled to be employed in the original professional capacity  
2 under the same contractual status as the status held by the person  
3 during the previous employment by the district in that capacity.

4 (a-2) A person who previously was employed as a teacher by a  
5 district and, after at least a two-year lapse in district  
6 employment returns to district employment, may be employed under a  
7 probationary contract.

8 SECTION 2. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2011.