

By: M. Gonzalez of El Paso

H.B. No. 1154

A BILL TO BE ENTITLED

AN ACT

relating to termination or suspension without pay of certain 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 22.009 to read as follows:

Sec. 22.009. 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 present the employee with written notice that includes a statement of the grounds for the proposed action and any other material facts related to the proposed action.

(c) The superintendent must review the grounds for the proposed termination of the employment or suspension without pay of an educational support employee and any other material facts related to the proposed action. On timely written request of the educational support employee, the superintendent must conduct a termination or suspension review proceeding that allows the employee to respond to the proposed action orally and in writing. The superintendent may designate a school district administrator to perform the superintendent's duties under this subsection. An

1 administrator designated under this subsection must be a superior
2 of the educational support employee.

3 SECTION 2. This Act applies beginning with the 2013-2014
4 school year.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2013.