

By: Rodriguez of Bexar

H.B. No. 2456

A BILL TO BE ENTITLED

AN ACT

relating to notice of termination of a teacher's contract given by a board of trustees of a school district.

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

SECTION 1. Section 21.103(a), Education Code, is amended to read as follows:

(a) The board of trustees of a school district may terminate the employment of a teacher employed under a probationary contract at the end of the contract period if in the board's judgment the best interests of the district will be served by terminating the employment. The board of trustees must give notice of its decision to terminate the employment to the teacher not later than the 45th ~~[10th]~~ day before the last day of instruction required under the contract. The notice must be delivered personally by hand delivery to the teacher on the campus at which the teacher is employed, except that if the teacher is not present on the campus on the date that hand delivery is attempted, the notice must be mailed by prepaid certified mail or delivered by express delivery service to the teacher's address of record with the district. Notice that is postmarked on or before the 45th ~~[10th]~~ day before the last day of instruction is considered timely given under this subsection. The board's decision is final and may not be appealed.

SECTION 2. Section 21.206(a), Education Code, is amended to read as follows:

1           (a) Not later than the 45th [~~10th~~] day before the last day of  
2 instruction in a school year, the board of trustees shall notify in  
3 writing each teacher whose contract is about to expire whether the  
4 board proposes to renew or not renew the contract. The notice must  
5 be delivered personally by hand delivery to the teacher on the  
6 campus at which the teacher is employed, except that if the teacher  
7 is not present on the campus on the date that hand delivery is  
8 attempted, the notice must be mailed by prepaid certified mail or  
9 delivered by express delivery service to the teacher's address of  
10 record with the district. Notice that is postmarked on or before  
11 the 45th [~~10th~~] day before the last day of instruction is considered  
12 timely given under this subsection.

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