

By: Gutierrez

S.B. No. 564

A BILL TO BE ENTITLED

1 AN ACT
2 relating to school district employment policies regarding the
3 notice required before filling certain vacant positions at the
4 district.

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

6 SECTION 1. Sections 11.1513(d) and (e), Education Code, are
7 amended to read as follows:

8 (d) The employment policy must provide that not later than
9 the fifth [~~10th~~] school day before the date on which a district
10 fills a vacant position for which a certificate or license is
11 required as provided by Section 21.003, other than a position that
12 affects the safety and security of students as determined by the
13 board of trustees, the district must provide to each current
14 district employee:

15 (1) notice of the position by posting the position on:

16 (A) a bulletin board at:

17 (i) a place convenient to the public in the
18 district's central administrative office; and

19 (ii) the central administrative office of
20 each campus in the district during any time the office is open; or

21 (B) the district's Internet website, if the
22 district has a website; and

23 (2) a reasonable opportunity to apply for the
24 position.

1 (e) If, during the school year, the district must fill a
2 vacant position held by a teacher, as defined by Section 21.201, in
3 less than five [~~10~~] school days, the district:

4 (1) must provide notice of the position in the manner
5 described by Subsection (d)(1) as soon as possible after the
6 vacancy occurs;

7 (2) is not required to provide the notice for five [~~10~~]
8 school days before filling the position; and

9 (3) is not required to comply with Subsection (d)(2).

10 SECTION 2. This Act applies beginning with the 2021-2022
11 school year.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2021.