

BILL ANALYSIS

Senate Research Center

H.B. 1662
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The 87th Legislature, Regular Session, passed H.B. 750, which required school districts to post their employment policies online, including the full text of any regulations referenced in the policy. Any forms referenced by the policy must be available on the district Intranet, or at the designated district administrative office if the district does not have an Intranet.

However, some districts have not complied, and when district employees have filed grievances related to issues addressed by regulations, they have been told that their grievance was untimely, even though the district failed to post the regulations.

H.B. 1662 seeks to provide better transparency for teachers and other school district employees by clarifying that the policy and regulations posting requirement includes any written document issued pursuant to the delegation of authority by a district's board of trustees or that implements a policy adopted by the district's board of trustees. In particular, this information must include compensation plans, employee leave conditions and procedures, and professional development requirements.

Additionally, the proposed legislation specifies that a district must consider a grievance timely, regardless of when the grievance was presented, if the school district did not post the relevant regulations or provide them to the aggrieved employee.

H.B. 1662 amends current law relating to certain requirements and procedures regarding the posting of a school district's employment policy.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.1513, Education Code, by amending Subsections (d), (e), and (k) and adding Subsection (l), as follows:

(d) Requires that the employment policy provide that not later than the fifth school day, rather than the 10th school day, before the date on which a district fills a vacant position for which a certificate or license is required as provided by a certain section, other than a position that affects the safety and security of students as determined by the board of trustees, the district is required to provide certain information to each current district employee.

(e) Provides that if, during the school year, the district is required to fill a vacant position held by a teacher, as defined by a certain section, in less than five school days, rather than in less than 10 school days, the district is not required to provide the notice for five school days, rather than 10 school days, before filling the position.

(k) Provides that regulations, for the purposes of Section 11.1513 (Employment Policy), include any written document issued pursuant to a delegation of authority by a district's

board of trustees or that implements a policy adopted by a district's board of trustees, including compensation plans, employee leave conditions and procedures, and professional development requirements.

(l) Requires that a grievance presented by a district employee that is based on a violation of a regulation referenced in the employment policy adopted by the district's board of trustees under Subsection (a) (relating to requiring the board of trustees of each independent school district to adopt a policy providing for the employment and duties of district personnel) be considered timely regardless of when the grievance is presented if the school district has not:

(1) complied with the requirements of Subsection (k); or

(2) provided a copy of the regulation to the employee presenting the grievance.

SECTION 2. Effective date: September 1, 2023.