

## **BILL ANALYSIS**

Senate Research Center  
79R4246 BDH-D

S.B. 822  
By: Hinojosa  
Education  
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As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Support personnel are essential members of the school team responsible for delivering quality instruction to Texas schoolchildren, but they generally do not have the benefit of a written contract. In many districts, a support staff person can be fired without explanation and without a chance to be heard in response to alleged grounds for termination.

As proposed, S.B. 822 establishes procedures for the hiring, probation, and termination of educational support personnel. Support employees who have completed a probationary period will be given written notice of a proposed termination action in both written and oral form. S.B. 822 also provides that employees will retain any greater rights granted to them by their school districts, in order to not diminish any of their current rights.

### **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 Subchapter A, Chapter 22, Education Code, by adding Section 22.007, as follows:

Sec. 22.007. EMPLOYMENT OF EDUCATIONAL SUPPORT EMPLOYEES. Defines "educational support employee" and "superintendent."

(b) Requires the board of trustees of a school district (board) to adopt a written employment policy consistent with this section for educational support employees. Requires the policy to include specific information regarding probation, evaluations, and termination procedures.

(c) Requires the person proposing to terminate the employment of a nonprobationary educational support employee to present the employee with a written notice including a statement of grounds for the proposed termination and any other material facts related to the proposed termination.

(d) Requires the superintendent to review the grounds for the proposed termination and any other related material facts on timely written request of the educational support employee and conduct a termination review proceeding that allows the employee to respond to the termination orally and in writing.

(e) Requires a termination review proceeding to include an audible electronic recording or written transcript of all oral testimony or argument.

(f) Provides that this section does not limit any rights granted to an educational support employee under a policy adopted by the board.

SECTION 2. Makes application of this Act prospective to the 2005-2006 school year.

SECTION 3. Effective date: upon passage or September 1, 2005.