

BILL ANALYSIS

Senate Research Center
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S.B. 168
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Public school superintendents in Texas are required to have certification, which means that they have demonstrated proficiency in "instructional leadership; administration, supervision, and communication skills; curriculum and instruction management; performance evaluation; organization; and fiscal management" (19 Texas Administrative Code, Chapter 242). School boards that elect to hire a superintendent candidate without superintendent certification must request a waiver from the Texas Education Agency. Often these waivers come with additional commissioner of education requirements, including a requirement that the superintendent candidate complete the certification process within the year. The Education Code does not specify the timeframe in which a district must apply for and receive a waiver, and the Texas Education Agency is unsure whether it has the authority needed to rule on this issue.

S.B. 168 requires any district interested in hiring a superintendent without a certification to apply for and receive a waiver with commissioner requirements before contracting with the superintendent candidate.

As proposed, S.B. 168 amends current law relating to temporary waiver of superintendent certification for employment of public school district superintendents.

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 21.003, Education Code, by adding Subsection (c), as follows:

(c) Authorizes the commissioner of education (commissioner) to waive the requirement for certification of a superintendent if requested by a school district as provided by Section 7.056 (Waivers and Exemptions). Prohibits a person who is not certified as a superintendent to be employed by a school district as the superintendent before the person has received a waiver of certification from the commissioner. Authorizes the commissioner to limit the waiver of certification in any manner the commissioner determines is appropriate. Prohibits the district from employing the person under a contract as superintendent unless the person has been certified or a waiver has been granted, but provides that a person may be designated to act as a temporary or interim superintendent for a school district.

SECTION 2. Requires a school district, that on the effective date of this Act employs a person as superintendent who does not hold a superintendent certificate, to obtain from the commissioner of education a temporary waiver of the certification requirement not later than October 1, 2015.

SECTION 3. Effective date: upon passage or September 1, 2015.