

- SUBJECT:** Hiring experienced principals under term contracts
- COMMITTEE:** Public Education — favorable, without amendment
- VOTE:** 6 ayes — Grusendorf, Branch, Dawson, Eissler, Griggs, Madden
0 nays
3 absent — Oliveira, Dutton, Hochberg
- SENATE VOTE:** On final passage, April 15 — 31-0
- WITNESSES:** For — Cathy Douglass, Texas Association of School Boards and Texas Association of School Administrators; Harley Eckhart, Texas Elementary Principals and Supervisors Association; JoHannah Whitsett, Association of Texas Professional Educators

Against — None

On — Tim Bacon, Texas State Teachers Association; Lindsay Gustafson, Texas Classroom Teachers Association; Ted Melina Raab, Texas Federation of Teachers
- BACKGROUND:** Education Code, ch. 21, subch. C stipulates that a teacher who is employed by a school district for the first time, or who has not been employed by the district for two consecutive years, must be employed under a probationary contract for one year. A school principal is included under the definition of teacher. Sec. 21.202 requires that a principal must be employed under a probationary contract prior to being employed under a term contract.
- DIGEST:** Starting with the 2003-04 school year, SB 1394 would permit a school district to employ a person as a principal under a term contract if the person had experience as a public school principal, regardless of whether that person was being employed by the district for the first time or whether a probationary contract otherwise would be required.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect on September 1, 2003.

**SUPPORTERS
SAY:**

It is vital that each school have a strong principal, especially because accountability and expectations have increased in recent years for all aspects of school performance. Some districts, however, face principal shortages and have difficulty attracting top quality candidates to meet their needs. SB 1394 would help many school districts recruit and retain experienced principals by permitting them to bypass an unnecessary requirement that might act as a barrier to this goal.

Allowing districts immediately to hire experienced principals under term contracts would better enable them to attract and keep such professionals by showing them the respect they had earned. Principals who have worked their way up the ranks at other school districts deserve to have their experience taken into account when applying for a position at a new district and should not be required automatically to serve a probationary period.

It is unlikely that SB 1394 would result in more unsatisfactory principals receiving term contracts. The main difference between a probationary contract and a term contract is that a district may terminate a principal at the end of a probationary contract without going through lengthy due process hearings. This bill, however, would apply only to experienced principals, making it unlikely that such a principal would exhibit poor performance in the first year covered by a probationary contract. In addition, the bill would be permissive, so the option to offer a new principal a term contract would be at the district's discretion. On balance, hiring a principal with experience weighs heavily in favor of both the principal and the district.

**OPPONENTS
SAY:**

The probationary contract requirement exists to spare districts from the onerous process required to get rid of poorly performing new principals. As performance and accountability standards continue to increase, school districts should not be hampered in removing bad principals during the first year of employment.

OTHER
OPPONENTS
SAY:

SB 1394 does not go far enough and should extend the ability of school districts to sign all experienced new teachers to term contracts.

NOTES:

Three bills have passed the House this session relating to probationary contracts for teachers:

- HB 558 by Grusendorf, relating to rehiring experienced teachers under probationary contracts, passed the House by 140-0 on April 10 and was recommended by the Senate Education Committee for the Local and Uncontested Calendar on May 19;
- HB 1112 by Crownover, relating to returning poorly performing teachers to probationary contract status, passed the House by 71-66 on April 30 and was referred to the Senate Education Committee on May 16; and
- HB 1113 by Crownover, relating to returning a teacher to probationary status without an open board meeting, passed the House by nonrecord vote on April 30 and was recommended by the Senate Education Committee for the Local and Uncontested Calendar on May 19.