

BILL ANALYSIS

Senate Research Center
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H.B. 2971
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Similar to school districts, open-enrollment charter schools are public schools subject to Chapter 552 (Public Information), Government Code. Public school teachers and administrators do not have to release any documents relating to their performance evaluations, and Section 21.355 (Confidentiality), Education Code state that such documents are confidential.

Section 12.015 (Charter Commission), Education Code, states that an open-enrollment charter school is part of the public school system of this state. Section 12.103 (General Applicability of Laws, Rules, and Ordinances to Open-Enrollment Charter Schools), Education Code, partially states that open-enrollment charter schools are subject to federal and state rules governing public schools. Despite the fact that charter school teachers and administrators also work for public schools, current law does not extend the same confidentiality privilege to charter school teachers and administrators.

H.B. 2971 amends Section 21.355, Education Code, to allow the evaluation documents of open-enrollment charter school teachers and administrators that are employed by charter schools to be kept confidential to the same extent as the evaluation documents of public school teachers and administrators.

H.B. 2971 amends current law relating to the confidentiality of documents evaluating the performance of public school teachers and administrators.

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 21.355, Education Code, to provide that a document evaluating the performance of a teacher or administrator, including a teacher or administrator employed by an open-enrollment charter school, is confidential.

SECTION 2. Provides that Section 21.355, Education Code, as amended by this Act, applies to each document described by that section, regardless of whether the document was created before, on, or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2011.