

BILL ANALYSIS

Senate Research Center
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H.B. 2952
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Administration
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under Section 7.057 (Appeals) of Texas Education Code, a school district employee who has a grievance against the action of a school district to file an appeal under the commissioner of education (commissioner).

In 2009, H.B. 829 added a requirement that certain appeals—those governed by Section 7.057(b)—must be decided by the commissioner within 180 days from the time the appeal is filed. Appeals under Section 7.057(b) involve school district detachment and annexation. However, there is not a similar timeline for appeals under Section 7.057(c), regarding most school district employee grievances.

H.B. 2952 adds a 240-day time limit to appeals under Section 7.057(c). The bill also allows the parties to mutually-agree to a 60 day extension.

H.B. 2952 amends current law relating to the period of time allowed for issuance of decisions by the commissioner of education in certain appeals against school districts.

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 7.057(c), Education Code, as follows:

(c) Requires the commissioner of education (commissioner), in an appeal against a school district, to, not later than the 240th day after the date the appeal is filed, issue a decision based on a review of the record developed at the district level under a substantial evidence standard of review. Authorizes the parties to the appeal to agree in writing to extend, by not more than 60 days, the date by which the commissioner is required to issue a decision under this subsection.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2013.