

Amend **CSHB 2** by Delisi by striking SECTION 2A.15 in its entirety, beginning on page 98, line 19, and continuing through page 101, line 9, and substituting it with the following text:

SECTION 2A.15. Subchapter H, Chapter 21, Education Code, is amended by adding Section 21.358 to read as follows:

Sec. 21.358. LEARNING ENHANCEMENT AWARD PROGRAM (LEAP) FOR PUBLIC SCHOOL EMPLOYEES. (a) The commissioner shall establish the Learning Enhancement Award Program to encourage school districts to reward those employees who make outstanding contributions at the local level to the enhancement of student learning. Each school district shall develop a local incentive plan for distributing incentive payments to qualifying employees under the Learning Enhancement Award Program and shall submit the plan to the commissioner for approval.

(b) A local incentive plan developed under this section shall include learning enhancement goals and priorities established annually by the school district through meetings and discussions with classroom teachers and administrators at each campus in the district. The local incentive plan shall delineate specific criteria for awarding incentive payments to campuses to distribute to employees and shall demonstrate the relationship between those criteria and each of the learning enhancement goals in the plan. The criteria for awarding incentive payments may include indicators of employee performance, such as teacher evaluations conducted by principals, peer reviews and objective measures of student achievement.

(c) The local incentive plan developed under this section must be approved by the district-level planning and decision-making committee, as well as the commissioner.

(d) Each year a school district shall use an amount equal to at least one percent of the district's total professional staff payroll to provide incentive payments to employees in accordance with this subchapter.

(e) Each school district shall use funds designated under subsection (d) to provide incentive payments to campuses and

individual employees who have contributed to the advancement or fulfillment of the learning enhancement goals established by the district in its local incentive plan. The district-level planning and decision-making committee shall determine the appropriate distribution of funds under this section, in accordance with subsections (f) and (g) and the criteria established in the local incentive plan.

(f) At least 50% of the funds designated by a district under subsection (d) shall be used to pay incentives to employees in any of the following categories:

(1) Experienced teachers who are serving as trained mentors to beginning teachers in the same school district, in accordance with a state-approved mentoring program, such as the Texas Beginning Educator Support System (TxBESS);

(2) Teachers who are certified in and teaching in a curriculum subject area in which the district is experiencing a shortage of qualified teachers, as determined by the commissioner;

(3) Teachers who are assigned to teach full-time at a campus that is difficult to staff, as determined by the commissioner, including a rural or academically unacceptable campus; and

(4) Employees who, as determined by the district, have assisted a campus in overcoming an extraordinary or unexpected hardship that is believed to have detrimentally affected student learning at the campus.

(g) Not more than 50% of the funds designated by the district under subsection (d) may be used to pay incentives to each full-time classroom teacher whose students demonstrate outstanding achievements and/or improvements in scholarship, as delineated in criteria in the local incentive plan. The incentive payments must be distributed equally at the campus, department or grade level.

(h) Using funds appropriated for purposes of this section, the commissioner shall adopt rules necessary to implement this section. In adopting rules, the commissioner shall promote flexibility in the design of local incentive plans.

(i) The commissioner shall annually evaluate the effectiveness of the Learning Enhancement Award Program at each

participating campus. The evaluation must consider:

(1) the performance of the district's students on assessment instruments administered under Section 39.023;

(2) the district's high school graduation and completion rates;

(3) the district's teacher attrition rates;

(4) the accountability ratings of the district; and

(5) the district's success in closing performance gaps between educationally disadvantaged students and other populations of students.

(j) A school district shall include the following information in employment contracts:

(1) that qualifying employees may qualify for and receive incentive payments under the Learning Enhancement Award Program (LEAP); and

(2) that incentive payments awarded under the Learning Enhancement Award Program (LEAP) are considered bonuses and are not an entitlement as part of an employee's salary.

(k) A school district's decision to provide an incentive payment under the Learning Enhancement Award Program is final and may not be appealed.