

Amend **CSHB 2** as follows:

(1) Amend the heading to ARTICLE 2 to read as follows:

"STUDENT-TEACHER EXCELLENCE AND GOOD SCHOOLS [EDUCATION EXCELLENCE]".

(2) Strike SECTION 2A.04 and substitute the following:

SECTION 2A.04. Section 21.402, Education Code, is amended by amending Subsections (a) and (d) and adding Subsections (c-1), (c-2), (c-3), (e) and (f) to read as follows:

(a) Except as provided by Subsection (d), (e), or (f), a school district must pay each classroom teacher, full-time librarian, full-time counselor certified under Subchapter B, or full-time school nurse not less than the minimum monthly salary, based on the employee's level of experience, determined by the following formula:

$$MS = SF \times FS$$

where:

"MS" is the minimum monthly salary;

"SF" is the applicable salary factor specified by Subsection (c); and

"FS" is the amount, as determined by the commissioner under Subsection (b), of state and local funds per weighted student available to a district eligible to receive state assistance under Section 42.302 with an enrichment tax rate, as defined by Section 42.302, equal to the maximum rate authorized under Section 42.303, except that the amount of state and local funds per weighted student does not include the amount attributable to the increase in the guaranteed level made by **HB 3343**, Acts of the 77th Legislature, Regular Session, 2001 or by **HB 2**, Acts of the 79th Legislature, Regular Session, 2005.

(c-1) Notwithstanding Subsection (a), for the 2005-2006 school year, a classroom teacher, full-time librarian, full-time counselor certified under Subchapter B, or full-time school nurse is entitled to a monthly salary that is at least equal to the sum of:

(1) the monthly salary the employee would have received for the 2005-2006 school year under the district's salary schedule

or other compensation system, including any local supplement and any money representing a career ladder supplement the employee would have received in the 2005-2006 school year; and

(2) \$200.

(c-2) Notwithstanding Subsection (a), for the 2006-2007 school year, a classroom teacher, full-time librarian, full-time counselor certified under Subchapter B, or full-time school nurse is entitled to a monthly salary that is at least equal to the sum of:

(1) the monthly salary the employee would have received for the 2006-2007 school year under the district's salary schedule or other compensation system, including any local supplement and any money representing a career ladder supplement the employee would have received in the 2006-2007 school year; and

(2) \$400.

(c-3) Subsections (c-1) and (c-2) and this subsection expire September 1, 2006.

(d) A classroom teacher, full-time librarian, full-time counselor certified under Subchapter B, or full-time school nurse employed by a school district in the 2006-2007 [~~2000-2001~~] school year is, as long as the employee is employed by the same district, entitled to a salary that is at least equal to the salary the employee received for the 2006-2007 [~~2000-2001~~] school year.

(e-1) For the 2005-2006 school year, in addition the amounts specified in (c-1), each school district shall spend an amount equal to the product of \$400 multiplied by the number of classroom teachers, full-time librarians, full-time counselors certified under Subchapter B, Chapter 21, and full-time school nurses employed by the district and entitled to a minimum salary under Section 21.402 on:

(1) additional across the board salary increases for all employees subject to the minimum salary schedule; or

(2) additional stipends, in amounts determined by the district, to encourage successful classroom teachers who hold appropriate certificates issued as provided by Subchapter B and have at least three years of classroom experience to:

(A) teach or serve as a mentor or master teacher at a campus that is considered low-performing under Section 39.132;

(B) teach or serve as a mentor or master teacher at a campus or in a program where at least 70 percent of the students are educationally disadvantaged;

(C) serve as a mentor or master teacher in a subject for which they are certified and which is designated by the Commissioner as a critical shortage area; or

(D) teach or serve in a program that is designed to provide highly qualified teachers to students that are at risk of failing or dropping out.

(e-2) Beginning with the 2006-2007 school year, in addition to the amounts specified in (c-2), each school district shall spend an amount equal to the product of \$800 multiplied by the number of classroom teachers, full-time librarians, full-time counselors certified under Subchapter B, Chapter 21, and full-time school nurses employed by the district and entitled to a minimum salary under Section 21.402 on:

(1) additional across the board salary increases for all employees subject to the minimum salary schedule; or

(2) additional stipends, in amounts determined by the district, to encourage successful classroom teachers who hold appropriate certificates issued as provided by Subchapter B and have at least three years of classroom experience to:

(A) teach or serve as a mentor or master teacher at a campus that is considered low-performing under Section 39.132;

(B) teach or serve as a mentor or master teacher at a campus or in a program where at least 70 percent of the students are educationally disadvantaged;

(C) serve as a mentor or master teacher in a subject for which they are certified and which is designated by the Commissioner as a critical shortage area; or

(D) teach or serve in a program that is designed to provide highly qualified teachers to students that are at a risk of failing or dropping out.

(f) No later than June 1, 2007, the commissioner shall adjust the factors in Subsection (a) above such that the minimum monthly salary calculated under Subsection (a) is \$400 greater than the minimum monthly salary the formula would have generated.

(3) On page 69, line 11, between "software" and "or" insert "or provide commercially available software".

(4) Strike SECTIONS 2C.01, 2C.05, and 2C.06.

(5) Strike SECTIONS 2C.02 and 2C.10.

(6) In ARTICLE 2, PART C, add the following appropriately-numbered SECTION to read as follows:

SECTION 2C.\_\_\_\_. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.0216 to read as follows:

Sec. 28.0216. LIMITS ON ASSIGNMENT OF STUDENTS TO TEACHERS.

(a) A student in grades Kindergarten through 6 may not be assigned for two consecutive school years to a teacher who:

(1) has less than one year of teaching experience; or

(2) does not hold the appropriate certificate issued by the State Board for Educator Certification.

(b) In a subject for which a student takes an assessment under Section 39.023(a) or (c), a student in grade 7 or higher may not be assigned for two consecutive school years to a teacher who:

(1) has less than one year of teaching experience; or

(2) does not hold the appropriate certificate issued by the State Board for Educator Certification.

(7) Strike SECTION 2D.03.

(8) Strike SECTION 2D.13.

(9) On page 94, strike lines 25 and 26 and substitute "required by this subchapter, a school district shall provide to high school students at grade levels determined by the commissioner the opportunity to take"

(10) Beginning on page 107, line 17, strike all language through page 110, line 20.

(11) On page 129, line 17, strike "has" and substitute "and private or independent institution of higher education have".

(12) On page 130, strike lines 1 through 5 and substitute "this section.".

(13) On page 130, line 24, between "university" and "whose" insert "or private or independent institution of higher education".

(14) In ARTICLE 3, strike the following conforming amendments: SECTIONS 3.01, 3.02, 3.03, 3.04, and 3.05.

(15) Strike SECTION 3.06 and substitute the following:

SECTION 3.01. Section 12.106(a), Education Code, is amended to read as follows:

(a) A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 42 as if the school were a school district without a tier one local share for purposes of Section 42.253 and without any local revenue ("LR") for purposes of Section 42.302. In determining funding for an open-enrollment charter school, adjustments under Sections 42.102, 42.103, 42.104, and 42.105 and the district enrichment tax rate ("DTR") under Section 42.302 are based on the average adjustment and average district enrichment tax rate for the state, as estimated at the beginning of the school year, and provided that the amount of state funding for each student is not subject to adjustment after the beginning of the school year due to changes in the property value or collection rates for the state.

(16) In ARTICLE 3, strike the following conforming amendments: SECTIONS 3.07, 3.08, 3.09, 3.10, 3.12, 3.13, 3.14, 3.15, 3.16, and 3.17.

(17) In ARTICLE 3, strike the following conforming amendments: SECTIONS 3.25 and 3.26.

(18) On page 150, strike lines 4 through 9 and substitute the following:

"(b) After setting aside an appropriate amount in accordance with this section, the commissioner shall proportionately reduce each district's tier one allotment or, for a district that does not receive a Tier I allotment, increase the district's payments under Chapter 41. A reduction in tier one allotments under this section does not affect the computation of the guaranteed amount of revenue per student per cent of tax effort under Section 42.252."

(19) In ARTICLE 3, strike SECTIONS 3.28 through 3.50.

(20) In ARTICLE 3, insert the following appropriately-numbered SECTIONS to read as follows:

SECTION 3. \_\_\_\_ . Section 42.005(a), Education Code, is amended by adding Subdivision (3) to read as follows:

(3) for a district that operates under a flexible school day program under Section 29.0822, the average daily attendance as calculated by the commissioner in accordance with

Section 29.0822(d).

SECTION 3. \_\_\_\_\_. Section 42.102 is amended to read as follows:

(a) The basic allotment for each district is adjusted to reflect the geographic variation in known resource costs and costs of education due to factors beyond the control of the school district.

(b) The cost of education adjustment is the cost of education index adjustment adopted by the foundation school fund budget committee and contained in Chapter 203, Title 19, Texas Administrative Code, as that chapter existed on March 26, 1997. The commissioner shall adjust modify adjustment as necessary to compensate for the equal application of the adjustment to each of the two tiers of the system.

SECTION 3. \_\_\_\_\_. (1) Section 403.302(j), Education Code, is amended to read as follows:

(j) For purposes of Section 42.2511, Education Code, the comptroller shall certify to the commissioner of education:

(1) a final value for each school district computed on a residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, of \$15,000 [~~\$5,000~~]; and

(2) a final value for each school district computed on:

(A) a residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, of \$45,000 [~~\$15,000~~]; and

(B) the effect of the additional limitation on tax increases under Section 1-b(d), Article VIII, Texas Constitution.

(2) This Section takes effect only if HJR \_\_\_\_, Acts of the 79th Legislature, Regular Session, 2005, takes. If that resolution does not take effect, this Section has no effect."

(21) On page 163, line 17, strike "and 57".

(22) On page 163, strike lines 21-22 and reletter remaining subsections appropriately.

(23) Beginning on page 163, line 23, strike all language through page 164, line 3, and substitute the following:

"(c) Sections 21.357, 39.023(j), 41.002(b), 41.002(e), 41.002(f), 41.002(g), 42.103(e), and 42.2514 of the Education Code are repealed."

(24) On page 164, strike lines 6 through 14.

(25) Strike the last two sentences of SECTION 4.03.