

BILL ANALYSIS

C.S.S.B. 1644
By: Shapiro
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Each year, the Texas Education Agency honors a state teacher of the year. Teachers are also selected as regional teachers of the year in their respective educational service center regions. These teachers serve as ambassadors for public education, but the state does not take advantage of their knowledge and expertise, as all teachers are currently prohibited from serving as members of the their regional education service center boards of directors.

This bill creates the Texas Advisory Committee of Educators, which advises the TEA, the State Board of Education, and the State Board for Educator Certification. The state teacher of the year will serve on this committee, as well as other outstanding classroom teachers appointed by the commissioner. Additionally, this bill allows the state teacher of the year to serve on the P-16 Council as a nonvoting member. It also authorizes a regional teacher of the year to serve as a nonvoting member of the teacher's regional education service center board of directors.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority previously granted to the Commissioner of Education is modified in SECTION 3 of this bill.

ANALYSIS

Note: Unless otherwise specified, statutory references in this BILL ANALYSIS are to the Education Code.

The bill amends Subsection A, Chapter 7, Education Code, by adding Section 7.007 to provide that the Texas Advisory Committee of Educators is established to advise the Texas Education Agency (agency), the State Board of Education (board), and the State Board for Educator Certification on matters relating to state education policy and rulemaking. The Commissioner of Education (commissioner), board, or State Board for Educator Certification may submit a specific issue to the committee for its consideration and advice. The advisory committee is composed of educators who are recognized for excellence in their profession. The number of educators on the advisory committee is determined by the commissioner, but may not be less than five. Each teacher who is selected as a state teacher of the year under a program adopted by the agency serves as a member of the committee. The commissioner shall appoint the remaining members of the committee. The commissioner may appoint classroom teachers who have received state or national recognition or are otherwise recognized for excellence in education. The commissioner may request nominations from entities that award teaching excellence, regional education service centers, or other entities selected by the commissioner. A state teacher of the year serving on the advisory committee serves a two-year term beginning on the first day of the teacher's term as state teacher of the year. The remaining members serve staggered two-year terms concurrent with the state teachers of the year serving on the committee. The commissioner shall designate the terms of the initial members of the advisory committee, including teachers of the year, in a manner that results in the terms of subsequent members being staggered so that approximately one-half of the terms expire each year. The commissioner shall designate a member of the advisory committee to serve as the presiding officer. The advisory committee shall meet at the call of the presiding officer. A member of the advisory committee is not entitled to compensation for service on the committee but is entitled to reimbursement for actual and necessary expenses incurred in performing committee duties. Staff members of the agency shall provide administrative support for the committee.

The bill amends Section 61.076, Education Code, by adding Subsection (c-1) to provide that a teacher who is selected as the state teacher of the year under a program adopted by the Texas Education Agency is entitled to serve as a nonvoting member of the P-16 Council. A state teacher of the year serving on the council serves a two-year term beginning on the first day of the teacher's term as state teacher of the year.

The bill amends Section 8.003(b), Education Code, to provide that the commissioner shall adopt rules to provide for the local selection, appointment, and continuity of membership of regional education service center boards of directors. The rules must provide that a teacher who is selected as a regional teacher of the year under a program adopted by the agency is entitled to serve as a nonvoting member of the board of directors for that region.

The bill amends Section 22.003, Education Code, by adding Subsection (a-1) to provide that a school district that employs a person who is serving on a committee, council, or board under Sections 7.007, 8.003(b), or 61.076(c-1) shall permit the employee to attend the meetings of the committee, council, or board. The district may not require an employee to use state minimum personal leave granted under this section for that purpose, but may require the employee to use personal leave provided beyond the state minimum if the employee has such leave available.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill amended Section 7.101 to provide, in pertinent part, that a teacher who is selected as the state teacher of the year under a program adopted by the Texas Education Agency is entitled to serve as a nonvoting member of the State Board of Education (board). A state teacher of the year serving on the board as provided by this section serves a two-year term beginning on the first day of the teacher's term as state teacher of the year. The original also made certain other conforming changes to Section 7.101 to effectuate this provision. The substitute does not amend Section 7.101.

The substitute adds the provisions as more fully described above in the ANALYSIS section relating to the Texas Advisory Committee of Educators, including provisions concerning establishment, composition, terms of members, compensation of members, designation of a presiding officer, functions, duties, expenses, and staff support. The substitute also adds the provision as more fully described above in the ANALYSIS section relating to service by a teacher selected as the state teacher of the year as a nonvoting member of the P-16 Council.

The substitute also adds the provision that a school district that employs a person who is serving on a committee, council, or board under Sections 7.007, 8.003(b), or 61.076(c-1) shall permit the employee to attend the meetings of the committee, council, or board. The district may not require an employee to use state minimum personal leave granted under this section for that purpose, but may require the employee to use personal leave provided beyond the state minimum if the employee has such leave available