

By: Shapleigh

S.B. No. 1220

A BILL TO BE ENTITLED

1 AN ACT

2 relating to national certification of certain public school
3 teachers.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. LEGISLATIVE FINDINGS. (a) The legislature
6 finds that if Texas is to have world-class schools, then Texas must
7 first have a world-class teaching force.

8 (b) The legislature also finds that certification by the
9 National Board for Professional Teaching Standards, developed by
10 teachers for teachers:

11 (1) is a symbol of and tool for professional teaching
12 excellence;

13 (2) establishes advanced standards for an experienced
14 teacher by testing the teacher's knowledge against standards of
15 other highly trained teachers throughout the country; and

16 (3) ensures that teachers meet high professional
17 standards of commitment and competence.

18 (c) The legislature also finds that an independent,
19 multiyear study of more than 600,000 students in North Carolina
20 found that the students of teachers who were nationally certified
21 experienced an increase in reading and math assessment instrument
22 scores by an average of seven percent.

23 (d) The legislature also finds that of the approximately
24 302,000 teachers in Texas, only 317 are nationally certified,

1 compared with 9,234 nationally certified teachers in Florida and
2 3,655 nationally certified teachers in California.

3 (e) The legislature also finds that in order for Texas
4 students to compete with students from other states, as Texas moves
5 toward a knowledge-based economy, Texas must encourage teachers to
6 pursue national certification. The 21st Century Educational
7 Excellence Program for National Certification serves that goal by
8 establishing a statewide program to assist Texas teachers in
9 achieving national certification.

10 SECTION 2. Chapter 21, Education Code, is amended by adding
11 Subchapter Q to read as follows:

12 SUBCHAPTER Q. 21ST CENTURY EDUCATIONAL EXCELLENCE PROGRAM
13 FOR NATIONAL CERTIFICATION

14 Sec. 21.801. DEFINITION. In this subchapter, "program"
15 means the 21st Century Educational Excellence Program for National
16 Certification.

17 Sec. 21.802. ESTABLISHMENT OF PROGRAM. The agency shall
18 establish the 21st Century Educational Excellence Program for
19 National Certification to encourage teachers in critical subject
20 areas to obtain national certification by the National Board for
21 Professional Teaching Standards.

22 Sec. 21.803. ELIGIBILITY. (a) A teacher employed by a
23 school district is eligible to participate in the program if the
24 teacher:

25 (1) is certified by the State Board for Educator
26 Certification in bilingual education, mathematics, science,
27 special education, elementary reading, or another teaching field

1 identified by the commissioner as experiencing a critical shortage
2 of teachers in this state in the year in which the teacher applies
3 to participate in the program; and

4 (2) has obtained national certification from the
5 National Board for Professional Teaching Standards.

6 (b) A teacher employed by an open-enrollment charter school
7 is not eligible to participate in the program.

8 Sec. 21.804. APPLICATION; SELECTION OF APPLICANTS. (a)
9 The agency shall select not more than 500 eligible teachers to
10 participate in the program each year.

11 (b) The agency shall adopt:

12 (1) procedures for submitting an application to
13 participate in the program; and

14 (2) criteria for the selection of teachers to
15 participate in the program.

16 Sec. 21.805. STIPEND. (a) An eligible teacher who is
17 selected to participate in the program under Section 21.804 may
18 receive a stipend in the manner provided by this section.

19 (b) An eligible teacher who is selected to participate in
20 the program and who is assigned to a hard-to-staff campus, as
21 determined by commissioner rule, is entitled to:

22 (1) an annual stipend of at least \$1,500 from the
23 school district; and

24 (2) an annual stipend of at least \$3,500 from the
25 agency.

26 (c) A school district may provide an eligible teacher who is
27 selected to participate in the program and who is not assigned to a

1 hard-to-staff campus with an annual stipend. The agency shall
2 match the amount a district pays the teacher under this subsection
3 in an amount not to exceed \$1,500.

4 (d) In determining whether a campus is a hard-to-staff
5 campus under this section, the commissioner shall consider for the
6 preceding three-year period:

7 (1) in the case of teachers who are certified to teach
8 English language arts, mathematics, science, social studies, or
9 foreign languages, or to teach an elementary school grade level,
10 the percentage of teachers at the campus who are assigned to teach
11 the subject or grade level for which they are certified;

12 (2) teacher turnover rates at the campus;

13 (3) the percentage of teachers assigned to the campus
14 with less than three years of teaching experience;

15 (4) the percentage of students at the campus who are at
16 risk of dropping out of school, as defined by Section 29.081; and

17 (5) if the agency conducts a study of working
18 conditions at campuses in this state, the working conditions at the
19 campus.

20 (e) A stipend a teacher receives from the agency or a school
21 district under this section is not considered in determining
22 whether the district is paying the teacher the minimum salary under
23 Section 21.402.

24 Sec. 21.806. STAFF DEVELOPMENT PLAN. The agency shall
25 establish a statewide staff development plan that uses the skills
26 and knowledge of teachers who have obtained national certification.

27 Sec. 21.807. RULES. The commissioner shall adopt rules as

1 necessary to implement this subchapter.

2 SECTION 3. Section 822.201(b), Government Code, is amended
3 to read as follows:

4 (b) "Salary and wages" as used in Subsection (a) means:

5 (1) normal periodic payments of money for service the
6 right to which accrues on a regular basis in proportion to the
7 service performed;

8 (2) amounts by which the member's salary is reduced
9 under a salary reduction agreement authorized by Chapter 610;

10 (3) amounts that would otherwise qualify as salary and
11 wages under Subdivision (1) but are not received directly by the
12 member pursuant to a good faith, voluntary written salary reduction
13 agreement in order to finance payments to a deferred compensation
14 or tax sheltered annuity program specifically authorized by state
15 law or to finance benefit options under a cafeteria plan qualifying
16 under Section 125 of the Internal Revenue Code of 1986, if:

17 (A) the program or benefit options are made
18 available to all employees of the employer; and

19 (B) the benefit options in the cafeteria plan are
20 limited to one or more options that provide deferred compensation,
21 group health and disability insurance, group term life insurance,
22 dependent care assistance programs, or group legal services plans;

23 (4) performance pay awarded to an employee by a school
24 district as part of a total compensation plan approved by the board
25 of trustees of the district and meeting the requirements of
26 Subsection (e);

27 (5) the benefit replacement pay a person earns under

1 Subchapter H, Chapter 659, except as provided by Subsection (c);

2 (6) stipends paid to teachers in accordance with
3 Section 21.410, 21.411, 21.412, [~~or~~] 21.413, or 21.805, Education
4 Code;

5 (7) amounts by which the member's salary is reduced or
6 that are deducted from the member's salary as authorized by
7 Subchapter J, Chapter 659;

8 (8) a merit salary increase made under Section 51.962,
9 Education Code; and

10 (9) amounts received under the awards for student
11 achievement program under Subchapter N, Chapter 21, Education Code,
12 the educator excellence awards program under Subchapter O, Chapter
13 21, Education Code, or a mentoring program under Section 21.458,
14 Education Code.

15 SECTION 4. The Texas Education Agency and the commissioner
16 of education shall implement the 21st Century Educational
17 Excellence Program for National Certification, as required by
18 Subchapter Q, Chapter 21, Education Code, as added by this Act, as
19 soon as practicable after the effective date of this Act.

20 SECTION 5. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2007.