

## **BILL ANALYSIS**

C.S.H.B. 1313  
By: Giddings  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

A student's academic achievement is affected by the qualifications of the student's teachers throughout his or her academic career. Repeatedly assigning a student to a teacher teaching outside of his or her appropriate area of certification could therefore be detrimental to the student's education.

C.S.H.B. 1313 prohibits a student in a school district with an enrollment of 5,000 or more students from being assigned for two consecutive school years to a teacher who does not hold the appropriate required certificate in a subject for which a student is assessed under Texas law.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 1313 amends the Education Code to prohibit, in a school district with an enrollment of 5,000 or more students, a student in kindergarten through 12 from being assigned for two consecutive school years to a teacher who does not hold the appropriate required certificate under state law. The bill provides that this requirement does not apply if the student's parent or other person standing in parental relation to the student and a school counselor or school administrator agree otherwise regarding assignment of the student to a teacher, and it does not apply to the first year a student transfers into a school district. The bill authorizes the commissioner of education to grant a waiver from the requirements of this provision to a school district if the commissioner finds that extreme circumstances in the district warrant the waiver. The bill authorizes the commissioner to adopt rules as necessary to implement this requirement. The bill prohibits a school campus or district from receiving an exemption or waiver from this provision unless it is a school district or campus that is required to develop and implement a student achievement improvement plan, except as otherwise provided above. The bill makes its provisions applicable beginning with the 2009-2010 school year.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1313 removes a provision from the original prohibiting a student in kindergarten through 12 from being assigned for two or more consecutive school years to a teacher who has less than one year of teaching experience. The substitute adds a provision not in the original providing that this requirement does not apply to the first year a student transfers into a school district. The substitute adds a provision not in the original authorizing the commissioner of

education to grant a waiver from the requirements of this provision to a school district if the commissioner finds that extreme circumstances in the district warrant the waiver and to adopt rules as necessary to implement this requirement for the assignment of students to teachers.