

1-1 By: Van de Putte, West S.B. No. 451  
1-2 (In the Senate - Filed January 9, 2009; February 17, 2009,  
1-3 read first time and referred to Committee on Education;  
1-4 March 25, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 25, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 451 By: Van de Putte  
1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to staff development requirements in public schools.  
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-12 SECTION 1. Section 21.451, Education Code, is amended by  
1-13 amending Subsection (d) and adding Subsections (e), (f), and (g) to  
1-14 read as follows:

1-15 (d) The staff development [~~may~~]:  
1-16 (1) may include training in:  
1-17 (A) technology;  
1-18 (B) conflict resolution; and  
1-19 (C) discipline strategies, including classroom  
1-20 management, district discipline policies, and the student code of  
1-21 conduct adopted under Section 37.001 and Chapter 37; and

1-22 (2) subject to Subsection (e), must include training  
1-23 based on scientifically based research, as defined by Section 9101,  
1-24 No Child Left Behind Act of 2001 (20 U.S.C. Section 7801), that:

1-25 (A) relates to instruction of students with  
1-26 disabilities; and  
1-27 (B) is designed for educators who work primarily  
1-28 outside the area of special education.

1-29 (e) A school district is required to provide the training  
1-30 described by Subsection (d)(2) to an educator who works primarily  
1-31 outside the area of special education only if the educator does not  
1-32 possess the knowledge and skills necessary to implement the  
1-33 individualized education program developed for a student receiving  
1-34 instruction from the educator. A district may determine the time  
1-35 and place at which the training is delivered.

1-36 (f) In developing or maintaining the training required by  
1-37 Subsection (d)(2), a school district must consult with persons with  
1-38 expertise in research-based practices for students with  
1-39 disabilities. Persons who may be consulted under this subsection  
1-40 include colleges, universities, private and nonprofit  
1-41 organizations, regional education service centers, qualified  
1-42 district personnel, and any other persons identified as qualified  
1-43 by the district. This subsection applies to all training required  
1-44 by Subsection (d)(2), regardless of whether the training is  
1-45 provided at the campus or district level.

1-46 (g) The staff development may [~~and~~]  
1-47 [3] include instruction as to what is permissible  
1-48 under law, including opinions of the United States Supreme Court  
1-49 and guidance from the United States Department of Education,  
1-50 regarding prayer in public school.

1-51 SECTION 2. This Act applies beginning with the 2009-2010  
1-52 school year.

1-53 SECTION 3. This Act takes effect immediately if it receives  
1-54 a vote of two-thirds of all the members elected to each house, as  
1-55 provided by Section 39, Article III, Texas Constitution. If this  
1-56 Act does not receive the vote necessary for immediate effect, this  
1-57 Act takes effect September 1, 2009.

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