

By: Shapiro

S.B. No. 4

A BILL TO BE ENTITLED

AN ACT

relating to certification, performance, continuing education, and appraisal of public school teachers.

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

SECTION 1. Section 21.041(b), Education Code, is amended to read as follows:

(b) The board shall propose rules that:

(1) provide for the regulation of educators and the general administration of this subchapter in a manner consistent with this subchapter;

(2) specify the classes of educator certificates to be issued, including provisional, standard, and emergency certificates;

(3) specify the period for which each class of educator certificate is valid;

(4) specify the requirements for the issuance and renewal of an educator certificate;

(5) provide for the issuance of an educator certificate to a person who holds a similar certificate issued by another state or foreign country, subject to Section 21.052;

(6) provide for special or restricted certification of educators, including certification of instructors of American Sign Language;

(7) provide for disciplinary proceedings, including

1 the suspension or revocation of an educator certificate, as
2 provided by Chapter 2001, Government Code;

3 (8) provide for the adoption, amendment, and
4 enforcement of an educator's code of ethics; and

5 (9) provide for continuing education requirements[+
6 ~~and~~

7 [~~(10) provide for certification of persons performing~~
8 ~~appraisals under Subchapter H].~~

9 SECTION 2. Section 21.048, Education Code, is amended by
10 adding Subsection (a-1) to read as follows:

11 (a-1) In proposing rules under Subsection (a), the board
12 shall prescribe a science of reading component for the
13 comprehensive examination administered to a person applying for
14 certification to teach early childhood through grade four.

15 SECTION 3. Section 21.050, Education Code, is amended by
16 adding Subsections (b-1) and (b-2) to read as follows:

17 (b-1) In addition to the requirements prescribed by
18 Subsection (a) and any requirements prescribed under Subsection
19 (b), the board shall require a person who applies for certification
20 to teach early childhood through grade four or English as a second
21 language in early childhood through grade four to obtain at least 24
22 semester credit hours in the following subject areas:

23 (1) English language arts;

24 (2) mathematics;

25 (3) science; or

26 (4) social studies.

27 (b-2) In completing the minimum semester credit hours

1 required by Subsection (b-1), a person must complete not less than
2 15 of the semester credit hours in a single subject area listed in
3 that subsection.

4 SECTION 4. Subchapter B, Chapter 21, Education Code, is
5 amended by adding Sections 21.0521 and 21.0522 to read as follows:

6 Sec. 21.0521. PROVISIONAL CERTIFICATE. (a) The board
7 shall issue a provisional certificate to a person who has not
8 previously been certified as an educator in this state and who has:

9 (1) successfully completed an educator preparation
10 program;

11 (2) performed satisfactorily on the certification
12 examination required by Section 21.048; and

13 (3) completed all other requirements for educator
14 certification.

15 (b) A provisional certificate issued under this section:

16 (1) expires on the third anniversary of the date on
17 which the certificate was issued; and

18 (2) is not renewable.

19 Sec. 21.0522. STANDARD CERTIFICATE. (a) On the expiration
20 of a person's provisional certificate, the board shall issue a
21 standard certificate to the person if the person has:

22 (1) demonstrated that the person is an effective
23 educator; and

24 (2) completed all required continuing education
25 hours.

26 (b) Notwithstanding Section 21.355, to assist the board in
27 determining whether a person is an effective educator, the person

1 applying for a standard certificate must submit to the board a copy
2 of all educator appraisals of the person. The board shall take
3 appropriate measures to maintain the confidentiality of the
4 appraisals.

5 (c) The commissioner shall adopt rules to establish
6 criteria for determining whether a person is an effective educator
7 for purposes of this section.

8 SECTION 5. Section 21.054, Education Code, is amended by
9 adding Subsection (b) to read as follows:

10 (b) The board shall implement an evaluation and
11 accountability system for continuing education courses offered in
12 the state and monitor the quality of all continuing education
13 courses.

14 SECTION 6. Section 21.351, Education Code, is amended by
15 adding Subsections (a-1) and (e) to read as follows:

16 (a-1) The recommended appraisal process must provide that
17 at least 50 percent of the appraisal is based on a measurement of
18 the teacher's effectiveness and the annual improvement of the
19 teacher's students' achievement as follows:

20 (1) the recommended appraisal process of a teacher
21 with primary instructional responsibilities in a subject and grade
22 for which an assessment instrument is administered under Subchapter
23 B, Chapter 39, must provide that the 50 percent measurement is based
24 on standardized achievement data of the teacher's students,
25 including the assessment instruments administered under Section
26 39.023; and

27 (2) the recommended appraisal process of a teacher not

1 appraised under Subdivision (1) must provide that the 50 percent
2 measurement is based on objective criteria.

3 (e) A teacher must be evaluated at least twice during each
4 school year.

5 SECTION 7. Subchapter H, Chapter 21, Education Code, is
6 amended by adding Section 21.3521 to read as follows:

7 Sec. 21.3521. INDIVIDUALIZED PROFESSIONAL DEVELOPMENT
8 PLAN. (a) On the conclusion of a teacher's appraisal, the
9 principal of the school at which the teacher is employed shall
10 prepare an individualized professional development plan for the
11 teacher. The plan must include continuing education requirements
12 for the teacher and must be linked to:

13 (1) any areas identified in the teacher's appraisal as
14 needing improvement;

15 (2) any areas identified by the teacher as appropriate
16 for achievement of specific professional goals; and

17 (3) the subject area taught by the teacher.

18 (b) The principal must provide opportunities for the
19 teacher to achieve the requirements and goals included in the
20 teacher's individualized professional development plan prepared
21 under Subsection (a).

22 SECTION 8. Section 21.355, Education Code, is amended to
23 read as follows:

24 Sec. 21.355. CONFIDENTIALITY. Except as provided by
25 Section 21.0522, a [A] document evaluating the performance of a
26 teacher or administrator is confidential.

27 SECTION 9. Subchapter H, Chapter 21, Education Code, is

1 amended by adding Section 21.358 to read as follows:

2 Sec. 21.358. QUALIFICATIONS OF APPRAISERS. (a) The
3 commissioner shall review and assess the qualifications of
4 administrators and teachers who perform appraisals.

5 (b) The commissioner shall adopt rules regarding the
6 minimum qualifications necessary for a person who conducts teacher
7 appraisals. The rules must require that the appraiser be highly
8 qualified to assess instructional quality and demonstrate
9 instructional leadership.

10 SECTION 10. Subchapter J, Chapter 21, Education Code, is
11 amended by adding Section 21.4581 to read as follows:

12 Sec. 21.4581. LEADERSHIP PROGRAM. The commissioner shall
13 create specialized mid-management certificates in teacher
14 leadership for qualified teachers who have demonstrated
15 effectiveness as a teacher under criteria determined by
16 commissioner rule.

17 SECTION 11. (a) Sections 21.050(b-1) and (b-2), Education
18 Code, as added by this Act, apply to a person who applies for a
19 certificate to teach early childhood through grade four or English
20 as a second language in early childhood through grade four, on or
21 after May 1, 2014. A person who applies for a certificate to teach
22 early childhood through grade four or English as a second language
23 in early childhood through grade four, before May 1, 2014, is
24 governed by the law in effect immediately before the effective date
25 of this Act, and that law is continued in effect for that purpose.

26 (b) Sections 21.0521 and 21.0522, Education Code, as added
27 by this Act, apply to a person who has never been certified to teach

1 in this state who applies for certification on or after the
2 effective date of this Act. A person who has never been certified
3 to teach in this state who applies for certification before the
4 effective date of this Act or a person who is certified to teach in
5 Texas on the effective date of this Act is governed by the law in
6 effect immediately before the effective date of this Act, and that
7 law is continued in effect for that purpose.

8 (c) Not later than January 1, 2012, the State Board for
9 Educator Certification shall propose rules as required by this Act.

10 SECTION 12. This Act takes effect September 1, 2011.