

BILL ANALYSIS

C.S.H.B. 1230
By: Giddings
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are more than 300,000 full-time equivalent teachers in Texas, but approximately 25 percent of those teachers are teaching outside their field of certification. Interested parties contend that research has proved that teacher effectiveness improves with experience. C.S.H.B. 1230 seeks to improve students' education quality by limiting student exposure to teachers who are inexperienced or who are teaching outside the fields in which they were certified to teach.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 1230 amends the Education Code to prohibit a student in kindergarten through grade six who attends an elementary school 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 has less than one year of teaching experience or does not hold the appropriate certificate. The bill provides that this prohibition does not apply to the first year a student transfers into a school district or 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.

C.S.H.B. 1230 authorizes the commissioner of education to grant a waiver from the bill's requirements to a school district if the commissioner finds that extreme circumstances in the district warrant the waiver but otherwise prohibits a school campus or district from receiving an exemption or waiver from the bill's requirements. The bill authorizes the commissioner to adopt rules as necessary to administer the bill's provisions. The bill's provisions apply beginning with the 2013-2014 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1230 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.0215 to read as follows:

Sec. 28.0215. REQUIREMENTS FOR ASSIGNMENT OF STUDENTS TO TEACHERS. (a) This section applies only to a school district with an enrollment of 5,000 or more students.

(b) A student in kindergarten through grade six may not be assigned for two consecutive school years to a teacher who does not hold the appropriate certificate required under Section 21.003.

(c) In a subject for which a student is assessed under Section 39.023(a) or (c), a student in grades 7 through 12 may not be assigned for two consecutive years to a teacher who does not hold the appropriate certificate required under Section 21.003.

(d) The requirement imposed by Subsection (b) or (c) 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.

(e) Subsection (b) or (c) does not apply to the first year a student transfers into a school district.

(f) The commissioner may grant a waiver from the requirements of this section to a school district if the commissioner finds that extreme circumstances in the district warrant the waiver. The commissioner may adopt rules as necessary to implement this section.

SECTION 2. Section 7.056(e), Education Code, is amended.

SECTION 3. This Act applies beginning with the 2013-2014 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article

HOUSE COMMITTEE SUBSTITUTE

SECTION 2. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.0215 to read as follows:

Sec. 28.0215. REQUIREMENTS FOR ASSIGNMENT OF STUDENTS TO TEACHERS. (a) This section applies only to a school district with an enrollment of 5,000 or more students.

(b) A student in kindergarten through grade six who attends an elementary school may not be assigned for two consecutive school years to a teacher who:

(1) has less than one year of teaching experience; or

(2) does not hold the appropriate certificate required under Section 21.003.

(c) The requirement imposed by Subsection (b) 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.

(d) Subsection (b) does not apply to the first year a student transfers into a school district.

(e) The commissioner may grant a waiver from the requirements of this section to a school district if the commissioner finds that extreme circumstances in the district warrant the waiver. The commissioner may adopt rules as necessary to implement this section.

SECTION 1. Substantially the same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.