

By: Patrick

H.B. No. 1751

A BILL TO BE ENTITLED

AN ACT

relating to the public school educator excellence innovation program.

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

SECTION 1. The heading to Subchapter O, Chapter 21, Education Code, is amended to read as follows:

SUBCHAPTER O. EDUCATOR EXCELLENCE INNOVATION [~~AWARDS~~] PROGRAM

SECTION 2. Section 21.701, Education Code, is amended to read as follows:

Sec. 21.701. DEFINITION. In this subchapter, "program" means the educator excellence innovation [~~awards~~] program.

SECTION 3. Subchapter O, Chapter 21, Education Code, is amended by adding Section 21.7011 to read as follows:

Sec. 21.7011. PURPOSES. The purposes of the educator excellence innovation program are to:

(1) systemically transform:

(A) educator quality and effectiveness through improved and innovative school district-level recruitment, preparation, hiring, induction, evaluation, professional development, strategic compensation, career pathways, and retention; and

(B) district administrative practices to improve quality, effectiveness, and efficiency; and

(2) use the enhanced educator and administrative

1 quality and effectiveness to improve student learning and student
2 academic performance, especially the learning and academic
3 performance of a district's most educationally disadvantaged or
4 educationally underserved students.

5 SECTION 4. The heading to Section 21.702, Education Code,
6 is amended to read as follows:

7 Sec. 21.702. EDUCATOR EXCELLENCE INNOVATION [~~AWARDS~~]
8 PROGRAM.

9 SECTION 5. Sections 21.702(a) and (b), Education Code, are
10 amended to read as follows:

11 (a) The commissioner by rule shall establish the [~~an~~
12 ~~educator excellence awards~~] program under which school districts,
13 in accordance with local educator excellence innovation [~~awards~~]
14 plans approved by the commissioner, receive competitive program
15 grants from the agency for carrying out the purposes of the program
16 as described [~~purpose of providing awards to district employees in~~
17 ~~the manner provided~~] by Section 21.7011 [~~21.705~~].

18 (b) In establishing the program, the commissioner shall
19 adopt program guidelines in accordance with this subchapter for a
20 school district to follow in developing a local educator excellence
21 innovation [~~awards~~] plan under Section 21.704.

22 SECTION 6. Section 21.703, Education Code, is amended to
23 read as follows:

24 Sec. 21.703. EDUCATOR EXCELLENCE INNOVATION FUND; AMOUNT OF
25 GRANT AWARD. [~~(a)~~] Each state fiscal year, the commissioner shall
26 deposit an amount determined by the General Appropriations Act to
27 the credit of the educator excellence innovation fund in the

1 general revenue fund. Each state fiscal year, the agency shall use
2 money [~~funds~~] in the educator excellence innovation fund to provide
3 a [~~qualifying~~] school district approved on a competitive basis
4 under this subchapter with a grant in an amount determined by:

5 (1) dividing the amount of money available for
6 distribution in the educator excellence innovation fund by the
7 total number of students in average daily attendance in the
8 approved [~~qualifying~~] districts for that fiscal year; and

9 (2) multiplying the amount determined under
10 Subdivision (1) by the number of students in average daily
11 attendance in the district.

12 SECTION 7. Section 21.704, Education Code, is amended to
13 read as follows:

14 Sec. 21.704. LOCAL EDUCATOR EXCELLENCE INNOVATION [~~AWARDS~~]
15 PLANS. (a) A district-level committee for a school district that
16 intends to participate in the program, such as the district-level
17 planning and decision-making committee established under
18 Subchapter F, Chapter 11, shall develop a local educator excellence
19 innovation [~~awards~~] plan for the district. The local educator
20 excellence innovation [~~awards~~] plan may provide for all campuses in
21 the district to participate in the program or only certain campuses
22 selected by the district-level committee. [~~A majority of classroom~~
23 ~~teachers assigned to a campus that is selected by the~~
24 ~~district-level committee to participate in the program must approve~~
25 ~~participation to be included in the local awards plan.]~~

26 (c) A school district must [~~shall~~] submit a local educator
27 excellence innovation [~~awards~~] plan to the agency for approval.

1 ~~[The plan must be submitted together with evidence of significant~~
2 ~~teacher involvement in the development of the plan.]~~

3 (c-1) A local educator excellence innovation ~~[awards]~~ plan
4 must be designed to carry out each purpose of the program as
5 described by Section 21.7011 ~~[provide for teachers and principals~~
6 ~~eligible to receive awards under the plan to be notified of the~~
7 ~~specific criteria and any formulas on which the awards will be based~~
8 ~~before the beginning of the period on which the awards will be~~
9 ~~based].~~

10 (d) The agency may approve only a local educator excellence
11 innovation ~~[awards]~~ plan that meets program guidelines adopted by
12 the commissioner under Section 21.702 and that satisfies this
13 section and Section 21.706 ~~[21.705]~~. From among the local educator
14 excellence innovation plans submitted and depending on the amount
15 of money available for distribution in the educator excellence
16 innovation fund, the agency shall approve plans that most
17 comprehensively and innovatively address the purposes of the
18 program as described by Section 21.7011.

19 (e) ~~[The agency shall make model local awards plans~~
20 ~~available to school districts that wish to participate in the~~
21 ~~program.~~

22 ~~[(f)]~~ A school district whose local educator excellence
23 innovation ~~[awards]~~ plan is approved by the agency to receive a
24 program grant under this subchapter may renew the plan for three
25 consecutive school years without resubmitting the plan to the
26 agency for approval. A school district may amend a local educator
27 excellence innovation ~~[awards]~~ plan for approval by the agency for

1 each school year the district receives a program grant.

2 SECTION 8. Subchapter O, Chapter 21, Education Code, is
3 amended by adding Sections 21.706 and 21.7061 to read as follows:

4 Sec. 21.706. INNOVATION PLAN PAYMENTS; AUTHORIZED GENERAL
5 AND SPECIFIC USES. A school district may use grant funds awarded to
6 the district under this subchapter only to carry out purposes of the
7 program as described by Section 21.7011, in accordance with the
8 district's local educator excellence innovation plan, which may
9 include the following specific methods or procedures:

10 (1) implementation and administration of a
11 high-quality mentoring program for teachers in a teacher's first
12 three years of classroom teaching using mentors who meet the
13 qualifications prescribed by Section 21.458(b);

14 (2) implementation of a teacher evaluation system
15 using multiple measures that include:

16 (A) the results of classroom observation, which
17 may include student comments;

18 (B) the degree of student educational growth and
19 learning; and

20 (C) the results of teacher self-evaluation;

21 (3) to the extent permitted under Subchapter C,
22 Chapter 25, restructure of the school day or school year to provide
23 for embedded and collaborative learning communities for the purpose
24 of professional development; and

25 (4) establishment of an alternative teacher
26 compensation or retention system.

27 Sec. 21.7061. IMPLEMENTATION FLEXIBILITY. (a)

1 Notwithstanding any other provision of this code and subject to
2 Subsection (b), a school district may apply to the commissioner in
3 writing in accordance with commissioner rule for a waiver to exempt
4 the district or one or more district campuses from all or one or
5 more specified provisions of this chapter, including Section
6 21.402.

7 (b) Before an application is submitted to the commissioner
8 under Subsection (a), the application must be approved by a vote of:

9 (1) a majority of the members of the school district
10 board of trustees; and

11 (2) a majority of the teachers and other staff members
12 at each campus for which the waiver is sought.

13 (c) The commissioner shall grant or deny an application
14 under this section based on standards adopted by commissioner rule.

15 (d) Neither the board of trustees of a school district nor
16 the district superintendent may compel a waiver of rights under
17 this section.

18 SECTION 9. Section 21.705, Education Code, is repealed.

19 SECTION 10. This Act applies beginning with the 2014-2015
20 school year.

21 SECTION 11. This Act takes effect immediately if it
22 receives a vote of two-thirds of all the members elected to each
23 house, as provided by Section 39, Article III, Texas Constitution.
24 If this Act does not receive the vote necessary for immediate
25 effect, this Act takes effect September 1, 2013.