

AN ACT

relating to public school educators and certain other professional employees of school districts.

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

SECTION 1. Subchapter B, Chapter 7, Education Code, is amended by adding Section 7.038 to read as follows:

Sec. 7.038. PROFESSIONAL EMPLOYEE SALARY INFORMATION. (a)

The agency shall collect information from school districts regarding salaries paid to employees entitled to the minimum monthly salary under Section 21.402.

(b) The agency shall provide for public use of the information collected under Subsection (a) in summary form on the agency's Internet website in a manner that indicates, by school district, the average salaries of employees to whom Subsection (a) applies by position and for classroom teachers, also by subject and grade level.

(c) The agency shall use the data collected under Subsection (a) regarding salaries paid to classroom teachers to conduct a cost-of-living salary comparability analysis in each region of the state to determine how classroom teacher salaries compare to salaries in similar professions. The commissioner shall delineate the geographic boundaries of the regions of the state and designate the professions that constitute similar professions for purposes of conducting the salary comparability analysis under this

1 subsection. Not later than December 1, 2014, the agency shall
2 prepare and deliver a report of the salary comparability analysis
3 conducted under this subsection to the governor, lieutenant
4 governor, speaker of the house of representatives, and presiding
5 officer of each standing legislative committee with primary
6 jurisdiction over public education. The agency shall post a copy of
7 the report on the agency's Internet website.

8 (d) The agency shall collect data and conduct the
9 cost-of-living salary comparability analysis under this section
10 using only available funds and resources from public or private
11 sources.

12 (e) This section expires September 1, 2015.

13 SECTION 2. Subchapter C, Chapter 7, Education Code, is
14 amended by adding Section 7.064 to read as follows:

15 Sec. 7.064. TEACHING AND LEARNING CONDITIONS SURVEY. (a)
16 The commissioner shall develop an online survey to be administered
17 statewide at least biennially to superintendents, principals,
18 supervisors, classroom teachers, counselors, and other appropriate
19 full-time professional employees who are required to hold a
20 certificate issued under Subchapter B, Chapter 21.

21 (b) In developing the survey under this section, the
22 commissioner shall ensure that the survey is designed to elicit
23 information relating to the following issues:

24 (1) teaching and learning conditions as predictors of
25 student achievement and growth;

26 (2) the relationship between teaching and learning
27 conditions and teacher retention;

1 (3) the influence of school leadership on teaching and
2 learning conditions, including:

3 (A) meaningful involvement of teachers in
4 determining professional development needs;

5 (B) meaningful involvement of teachers in campus
6 decisions and initiatives;

7 (C) support for teachers in student disciplinary
8 matters; and

9 (D) limiting required meetings for and
10 noninstructional duties of teachers;

11 (4) the relationship between teaching and learning
12 conditions and student attendance and graduation;

13 (5) the appropriate time during the day for
14 collaborative instructional planning;

15 (6) facilities resources needs; and

16 (7) other supports needed for educators to be
17 successful in the classroom.

18 (c) The commissioner shall contract with a third-party
19 entity with appropriate research and evaluation expertise to
20 administer the survey required by this section. The third-party
21 survey administrator shall collect responses and protect the
22 identity of the respondents. The third-party survey administrator
23 shall provide the survey responses to the commissioner or a person
24 designated by the commissioner not later than the 60th day after the
25 date the survey is administered.

26 (d) After the administration of each survey, the
27 commissioner shall:

1 (1) make the survey results available to the public;

2 and

3 (2) provide the survey results to school districts and

4 campuses.

5 (e) Each school district and campus shall use the survey
6 results:

7 (1) to review and revise, as appropriate,
8 district-level or campus-level improvement plans in the manner
9 provided under Subchapter F, Chapter 11; and

10 (2) for other purposes, as appropriate to enhance the
11 district and campus learning environment.

12 (f) The commissioner shall use the survey results to
13 develop, review, and revise:

14 (1) agency professional development offerings;

15 (2) agency initiatives aimed at teacher retention; and

16 (3) standards for principals and superintendents.

17 (g) The commissioner shall carry out duties under this
18 section, including contracting for the administration of the
19 survey, using only available funds and resources from public and
20 private sources.

21 SECTION 3. Section 21.044, Education Code, as amended by
22 Chapters 635 (S.B. 866) and 926 (S.B. 1620), Acts of the 82nd
23 Legislature, Regular Session, 2011, is reenacted and amended to
24 read as follows:

25 Sec. 21.044. EDUCATOR PREPARATION. (a) The board shall
26 propose rules establishing the training requirements a person must
27 accomplish to obtain a certificate, enter an internship, or enter

1 an induction-year program. The board shall specify the minimum
2 academic qualifications required for a certificate.

3 (b) Any minimum academic qualifications for a certificate
4 specified under Subsection (a) that require a person to possess a
5 bachelor's degree must also require that the person receive, as
6 part of the curriculum for that degree, instruction in detection
7 and education of students with dyslexia. This subsection does not
8 apply to a person who obtains a certificate through an alternative
9 certification program adopted under Section 21.049.

10 (c) The instruction under Subsection (b) must:

11 (1) be developed by a panel of experts in the diagnosis
12 and treatment of dyslexia who are:

13 (A) employed by institutions of higher
14 education; and

15 (B) approved by the board; and

16 (2) include information on:

17 (A) characteristics of dyslexia;

18 (B) identification of dyslexia; and

19 (C) effective, multisensory strategies for
20 teaching students with dyslexia.

21 (d) [~~(b)~~] In proposing rules under this section, the board
22 shall specify that to obtain a certificate to teach an "applied STEM
23 course," as that term is defined by Section 28.027, at a secondary
24 school, a person must:

25 (1) pass the certification test administered by the
26 recognized national or international business and industry group
27 that created the curriculum the applied STEM course is based on; and

1 (2) have at a minimum:

2 (A) an associate degree from an accredited
3 institution of higher education; and

4 (B) three years of work experience in an
5 occupation for which the applied STEM course is intended to prepare
6 the student.

7 (e) Each educator preparation program must provide
8 information regarding:

9 (1) the skills that educators are required to possess,
10 the responsibilities that educators are required to accept, and the
11 high expectations for students in this state;

12 (2) the effect of supply and demand forces on the
13 educator workforce in this state;

14 (3) the performance over time of the educator
15 preparation program;

16 (4) the importance of building strong classroom
17 management skills; and

18 (5) the framework in this state for teacher and
19 principal evaluation, including the procedures followed in
20 accordance with Subchapter H.

21 SECTION 4. Subchapter B, Chapter 21, Education Code, is
22 amended by adding Section 21.0441 to read as follows:

23 Sec. 21.0441. ADMISSION REQUIREMENTS FOR EDUCATOR
24 PREPARATION PROGRAMS. (a) Rules of the board proposed under this
25 subchapter must provide that a person, other than a person seeking
26 career and technology education certification, is not eligible for
27 admission to an educator preparation program, including an

1 alternative educator preparation program, unless the person:

2 (1) except as provided by Subsection (b), satisfies
3 minimum grade point average requirements prescribed by the board,
4 not to exceed the following:

5 (A) an overall grade point average of at least
6 2.75 on a four-point scale or the equivalent on any course work
7 previously attempted at a public or private institution of higher
8 education; or

9 (B) a grade point average of at least 2.75 on a
10 four-point scale or the equivalent for the last 60 semester credit
11 hours attempted at a public or private institution of higher
12 education; and

13 (2) if the person is seeking initial certification:

14 (A) has successfully completed at least:

15 (i) 15 semester credit hours in the
16 subject-specific content area in which the person is seeking
17 certification, if the person is seeking certification to teach
18 mathematics or science at or above grade level seven; or

19 (ii) 12 semester credit hours in the
20 subject-specific content area in which the person is seeking
21 certification, if the person is not seeking certification to teach
22 mathematics or science at or above grade level seven; or

23 (B) has achieved a satisfactory level of
24 performance on a content certification examination, which may be a
25 content certification examination administered by a vendor
26 approved by the commissioner for purposes of administering such an
27 examination for the year for which the person is applying for

1 admission to the program.

2 (b) The board's rules must permit an educator preparation
3 program to admit in extraordinary circumstances a person who fails
4 to satisfy a grade point average requirement prescribed by
5 Subsection (a)(1)(A) or (B), provided that:

6 (1) not more than 10 percent of the total number of
7 persons admitted to the program in a year fail to satisfy the
8 requirement under Subsection (a)(1)(A) or (B); and

9 (2) for each person admitted as described by this
10 subsection, the director of the program determines and certifies,
11 based on documentation provided by the person, that the person's
12 work, business, or career experience demonstrates achievement
13 comparable to the academic achievement represented by the grade
14 point average requirement.

15 SECTION 5. Section 21.048, Education Code, is amended by
16 amending Subsection (a) and adding Subsection (a-1) to read as
17 follows:

18 (a) The board shall propose rules prescribing comprehensive
19 examinations for each class of certificate issued by the board. The
20 board shall determine the satisfactory level of performance
21 required for each certification examination. For the issuance of a
22 generalist certificate, the board shall require a satisfactory
23 level of examination performance in each core subject covered by
24 the examination.

25 (a-1) The board may not require that more than 45 days
26 elapse before a person may retake an examination.

27 SECTION 6. Section 21.352, Education Code, is amended by

1 amending Subsection (c) and adding Subsections (c-1), (e), and (f)
2 to read as follows:

3 (c) Except as otherwise provided by this subsection,
4 appraisal must be done at least once during each school year. A
5 teacher may be appraised less frequently if the teacher agrees in
6 writing and the teacher's most recent evaluation rated the teacher
7 as at least proficient, or the equivalent, and did not identify any
8 area of deficiency. A teacher who is appraised less frequently than
9 annually must be appraised at least once during each period of five
10 school years. The district shall maintain a written copy of the
11 evaluation of each teacher's performance in the teacher's personnel
12 file. Each teacher is entitled to receive a written copy of the
13 evaluation promptly on its completion. After receiving a written
14 copy of the evaluation, a teacher is entitled to a second appraisal
15 by a different appraiser or to submit a written rebuttal to the
16 evaluation to be attached to the evaluation in the teacher's
17 personnel file. The evaluation and any rebuttal may be given to
18 another school district at which the teacher has applied for
19 employment at the request of that district.

20 (c-1) In addition to conducting a complete appraisal as
21 frequently as required by Subsection (c), a school district shall
22 require that appropriate components of the appraisal process, such
23 as classroom observations and walk-throughs, occur more frequently
24 as necessary to ensure that a teacher receives adequate evaluation
25 and guidance. A school district shall give priority to conducting
26 appropriate components more frequently for inexperienced teachers
27 or experienced teachers with identified areas of deficiency.

1 (e) A district shall use a teacher's consecutive appraisals
2 from more than one year, if available, in making the district's
3 employment decisions and developing career recommendations for the
4 teacher.

5 (f) The district shall notify a teacher of the results of
6 any appraisal of the teacher in a timely manner so that the
7 appraisal may be used as a developmental tool by the district and
8 the teacher to improve the overall performance of the teacher.

9 SECTION 7. Subchapter J, Chapter 21, Education Code, is
10 amended by adding Section 21.4513 to read as follows:

11 Sec. 21.4513. PROFESSIONAL DEVELOPMENT REQUIREMENTS AUDIT.

12 (a) Using only available funds and resources from public or
13 private sources, the agency shall periodically conduct an audit of
14 the professional development requirements applicable to educators
15 in this state, including state and federal requirements and
16 requirements imposed by school districts.

17 (b) Based on audit results, the agency shall seek to
18 eliminate conflicting requirements and consolidate duplicative
19 requirements through the following methods, as appropriate:

20 (1) taking administrative action;

21 (2) encouraging school districts to make appropriate
22 changes to district policies; or

23 (3) recommending statutory changes to the
24 legislature.

25 (b-1) The agency shall complete the initial audit required
26 by Subsection (a) not later than August 1, 2014. This subsection
27 expires September 1, 2014.

1 (c) The agency shall provide guidance to school districts
2 regarding high-quality professional development and the outcomes
3 expected to result from providing that caliber of professional
4 development.

5 SECTION 8. Section 21.458, Education Code, is amended by
6 amending Subsection (c) and adding Subsections (e) and (e-1) to
7 read as follows:

8 (c) From the funds appropriated to the agency for purposes
9 of this section, the commissioner shall adopt rules and provide
10 funding to school districts that assign mentor teachers under this
11 section. Funding provided to districts under this section may be
12 used only for providing:

13 (1) mentor teacher stipends;

14 (2) scheduled release time for mentor teachers and the
15 classroom teachers to whom they are assigned for meeting and
16 engaging in [to provide] mentoring activities [to assigned
17 classroom teachers]; and

18 (3) mentoring support through providers of mentor
19 training.

20 (e) Each year the commissioner shall report to the
21 legislature regarding the effectiveness of school district
22 mentoring programs.

23 (e-1) Not later than November 1, 2013, the governor,
24 lieutenant governor, and speaker of the house of representatives
25 shall form an advisory committee to evaluate the implementation of
26 this section and make recommendations for improvement. The
27 committee shall develop recommended guidelines that align teacher

1 induction and mentoring activities with expectations for new
2 teachers based on teaching practice standards. The agency shall
3 provide administrative support for the committee. The committee
4 shall submit a report of its recommendations to the governor and
5 legislature not later than January 1, 2015. This subsection
6 expires January 31, 2015.

7 SECTION 9. Not later than September 1, 2014, the Texas
8 Education Agency, the State Board for Educator Certification, and
9 the Texas Higher Education Coordinating Board shall jointly review
10 existing standards for preparation and admission that are
11 applicable to educator preparation programs, including stakeholder
12 input in the review and development of those standards, and develop
13 and implement modifications necessary to reflect updated standards
14 for the teaching profession.

15 SECTION 10. To the extent of any conflict, this Act prevails
16 over another Act of the 83rd Legislature, Regular Session, 2013,
17 relating to nonsubstantive additions to and corrections in enacted
18 codes.

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

President of the Senate

Speaker of the House

I certify that H.B. No. 2012 was passed by the House on May 8, 2013, by the following vote: Yeas 130, Nays 17, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2012 on May 24, 2013, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2012 on May 26, 2013, by the following vote: Yeas 92, Nays 53, 2 present, not voting.

Chief Clerk of the House

H.B. No. 2012

I certify that H.B. No. 2012 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 25, Nays 6; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2012 on May 26, 2013, by the following vote: Yeas 24, Nays 7.

Secretary of the Senate

APPROVED: _____

Date

Governor