

By: Patrick, Hancock
Seliger

S.B. No. 1403

A BILL TO BE ENTITLED

AN ACT

relating to public school teachers.

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

SECTION 1. Section 21.044, Education Code, as amended by Chapters 635 (S.B. 866) and 926 (S.B. 1620), Acts of the 82nd Legislature, Regular Session, 2011, is reenacted and amended to read as follows:

Sec. 21.044. EDUCATOR PREPARATION. (a) The board shall propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. The board shall specify the minimum academic qualifications required for a certificate.

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

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

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

(A) employed by institutions of higher education; and

- 1 (B) approved by the board; and
- 2 (2) include information on:
 - 3 (A) characteristics of dyslexia;
 - 4 (B) identification of dyslexia; and
 - 5 (C) effective, multisensory strategies for
 - 6 teaching students with dyslexia.

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

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

- 14 (2) have at a minimum:
 - 15 (A) an associate degree from an accredited
 - 16 institution of higher education; and
 - 17 (B) three years of work experience in an
 - 18 occupation for which the applied STEM course is intended to prepare
 - 19 the student.

20 (e) Each educator preparation program must provide
21 information regarding:

22 (1) the skills that educators are required to possess,
23 the responsibilities that educators are required to accept, and the
24 high expectations for students in this state;

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

27 (3) the performance over time of the educator

1 preparation program;

2 (4) the importance of building strong classroom
3 management skills; and

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

7 SECTION 2. Subchapter B, Chapter 21, Education Code, is
8 amended by adding Section 21.0441 to read as follows:

9 Sec. 21.0441. ADMISSION REQUIREMENTS FOR EDUCATOR
10 PREPARATION PROGRAMS. (a) Rules of the board proposed under this
11 subchapter must provide that a person, other than a person seeking
12 career and technology education certification, is not eligible for
13 admission to an educator preparation program, including an
14 alternative educator preparation program, unless the person:

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

18 (A) an overall grade point average of at least
19 2.75 on a four-point scale or the equivalent on any course work
20 previously attempted at a public or private institution of higher
21 education; or

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

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

27 (A) has successfully completed at least:

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

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

9 (B) has achieved a satisfactory level of
10 performance on a content certification examination, which may be a
11 content certification examination administered by a vendor
12 approved by the commissioner for purposes of administering such an
13 examination for the year for which the person is applying for
14 admission to the program.

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

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

22 (2) for each person admitted as described by this
23 subsection, the director of the program determines and certifies,
24 based on documentation provided by the person, that the person's
25 work, business, or career experience demonstrates achievement
26 comparable to the academic achievement represented by the grade
27 point average requirement.

1 SECTION 3. Section 21.048, Education Code, is amended by
2 amending Subsection (a) and adding Subsection (a-1) to read as
3 follows:

4 (a) The board shall propose rules prescribing comprehensive
5 examinations for each class of certificate issued by the board. The
6 board shall determine the satisfactory level of performance
7 required for each certification examination. For the issuance of a
8 generalist certificate, the board shall require a satisfactory
9 level of examination performance in each core subject covered by
10 the examination.

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

13 SECTION 4. Section 21.352, Education Code, is amended by
14 amending Subsection (c) and adding Subsections (c-1), (e), and (f)
15 to read as follows:

16 (c) Except as otherwise provided by this subsection,
17 appraisal must be done at least once during each school year. A
18 teacher may be appraised less frequently if the teacher agrees in
19 writing and the teacher's most recent evaluation rated the teacher
20 as at least proficient, or the equivalent, and did not identify any
21 area of deficiency. A teacher who is appraised less frequently than
22 annually must be appraised at least once during each period of five
23 school years. The district shall maintain a written copy of the
24 evaluation of each teacher's performance in the teacher's personnel
25 file. Each teacher is entitled to receive a written copy of the
26 evaluation promptly on its completion. After receiving a written
27 copy of the evaluation, a teacher is entitled to a second appraisal

1 by a different appraiser or to submit a written rebuttal to the
2 evaluation to be attached to the evaluation in the teacher's
3 personnel file. The evaluation and any rebuttal may be given to
4 another school district at which the teacher has applied for
5 employment at the request of that district.

6 (c-1) In addition to conducting a complete appraisal as
7 frequently as required by Subsection (c), a school district shall
8 require that appropriate components of the appraisal process, such
9 as classroom observations and walk-throughs, occur more frequently
10 as necessary to ensure that a teacher receives adequate evaluation
11 and guidance. A school district shall give priority to conducting
12 appropriate components more frequently for inexperienced teachers
13 or experienced teachers with identified areas of deficiency.

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

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

22 SECTION 5. Section 21.402, Education Code, is amended by
23 adding Subsections (j) and (k) to read as follows:

24 (j) Using only available funds and resources from public or
25 private sources, each year the agency, in consultation with the
26 Teacher Retirement System of Texas, shall collect information from
27 school districts regarding salaries paid to employees entitled to

1 the minimum salary specified in this section. Based on the
2 information collected, the agency shall:

3 (1) determine the median salaries of teachers in this
4 state based on grade level and subject matter taught;

5 (2) post the median salaries on the agency Internet
6 website; and

7 (3) report the median salaries to members of the
8 legislature.

9 (k) Using only available funds and resources from public or
10 private sources, each year the agency shall analyze the cost of
11 living in each region of this state to determine if teacher salaries
12 paid by school districts in a region are comparable to salaries paid
13 in that region to persons engaged in comparable professions. The
14 agency shall post the results of the analysis on the agency's
15 Internet website and report the results to members of the
16 legislature.

17 SECTION 6. Subchapter I, Chapter 21, Education Code, is
18 amended by adding Section 21.419 to read as follows:

19 Sec. 21.419. ANNUAL TEACHER WORKING CONDITIONS SURVEY.

20 (a) Using only available funds and resources from public or
21 private sources, each year the agency shall conduct a statewide
22 survey of working conditions for public school teachers.

23 (b) The survey must seek information regarding factors that
24 affect the quality of teacher working conditions, such as demands
25 on a teacher's time during the school day and at other times, campus
26 and district leadership, support for new teachers, professional
27 development opportunities and requirements, opportunities for

1 teacher leadership and collaboration, resources for teachers, and
2 the adequacy of available facilities.

3 (c) In designing the survey, the agency shall:

4 (1) evaluate the teacher working conditions survey
5 conducted in North Carolina and incorporate any elements in that
6 survey that the agency considers appropriate for use in this state;
7 and

8 (2) seek to produce a survey that can be used as a
9 resource by a school district in improving the district's
10 instructional environment and in evaluating and setting standards
11 for principals and superintendents.

12 (d) A teacher may not be required to participate in the
13 survey.

14 (e) To encourage the uninhibited participation of teachers,
15 the survey must be designed to prevent the disclosure of the
16 identity of a survey participant.

17 (f) The agency shall release aggregate results of the survey
18 to the public.

19 (g) The agency shall complete the initial survey not later
20 than September 1, 2014. This subsection expires January 1, 2015.

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

23 Sec. 21.4513. PROFESSIONAL DEVELOPMENT REQUIREMENTS AUDIT.

24 (a) Using only available funds and resources from public or
25 private sources, the agency shall periodically conduct an audit of
26 the professional development requirements applicable to educators
27 in this state, including state and federal requirements and

1 requirements imposed by school districts.

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

5 (1) taking administrative action;

6 (2) encouraging school districts to make appropriate
7 changes to district policies; or

8 (3) recommending statutory changes to the
9 legislature.

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

13 (c) The agency shall provide guidance to school districts
14 regarding high-quality professional development and the outcomes
15 expected to result from providing that caliber of professional
16 development.

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

20 (c) From the funds appropriated to the agency for purposes
21 of this section, the commissioner shall adopt rules and provide
22 funding to school districts that assign mentor teachers under this
23 section. Funding provided to districts under this section may be
24 used only for providing:

25 (1) mentor teacher stipends;

26 (2) scheduled release time for mentor teachers and the
27 classroom teachers to whom they are assigned for meeting and

1 engaging in [~~to provide~~] mentoring activities [~~to assigned~~
2 ~~classroom teachers~~]; and

3 (3) mentoring support through providers of mentor
4 training.

5 (e) Each year the commissioner shall report to the
6 legislature regarding the effectiveness of school district
7 mentoring programs.

8 (e-1) Not later than November 1, 2013, the lieutenant
9 governor and speaker of the house of representatives shall form an
10 advisory committee to evaluate the implementation of this section
11 and make recommendations for improvement. The committee shall
12 develop recommended guidelines that align teacher induction and
13 mentoring activities with expectations for new teachers based on
14 teaching practice standards. The agency shall provide
15 administrative support for the committee. The committee shall
16 submit a report of its recommendations to the legislature not later
17 than January 1, 2015. This subsection expires January 31, 2015.

18 SECTION 9. Not later than September 1, 2014, the Texas
19 Education Agency, the State Board for Educator Certification, and
20 the Texas Higher Education Coordinating Board shall jointly review
21 existing standards for preparation and admission that are
22 applicable to educator preparation programs, including stakeholder
23 input in the review and development of those standards, and develop
24 and implement modifications necessary to reflect updated standards
25 for the teaching profession.

26 SECTION 10. To the extent of any conflict, this Act prevails
27 over another Act of the 83rd Legislature, Regular Session, 2013,

S.B. No. 1403

1 relating to nonsubstantive additions to and corrections in enacted
2 codes.

3 SECTION 11. This Act takes effect September 1, 2013.