

By: Moody

H.B. No. 513

A BILL TO BE ENTITLED

AN ACT

relating to educator financial incentives and salary contingencies based on student performance on certain assessment instruments.

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

SECTION 1. Subchapter I, Chapter 21, Education Code, is amended by adding Section 21.416 to read as follows:

Sec. 21.416. CERTAIN INCENTIVES AND SALARY CONTINGENCIES PROHIBITED. (a) Subject to Subsection (b), a school district may not:

(1) offer or reward a financial incentive to an educator that is contingent on student performance on an assessment instrument administered under Chapter 39; or

(2) make any portion of an educator's salary contingent on student performance on an assessment instrument administered under Chapter 39.

(b) This section does not affect the use of any federal funds disbursed for a purpose otherwise prohibited under Subsection (a).

SECTION 2. Section 21.702(b), Education Code, is amended to read as follows:

(b) In establishing the program, the commissioner shall adopt program guidelines in accordance with this subchapter for a school district to follow in developing a local educator excellence innovation plan under Section 21.704. The guidelines must prohibit

1 a school district from providing strategic compensation or other  
2 alternative teacher compensation on the basis of student  
3 performance on an assessment instrument administered under Chapter  
4 39, as prohibited under Section 21.416.

5         SECTION 3. This Act applies beginning with the 2015-2016  
6 school year.

7         SECTION 4. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2015.