

BILL ANALYSIS

C.S.H.B. 3628
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Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Recent data published by the Texas Education Agency shows significant gaps between special education and non-special education students in Texas, with special education students performing at lower rates in multiple areas, including graduation rates, STAAR test results, and college readiness measures. There are concerns that some teachers with a special education certificate may not have sufficient knowledge or experience working with students with disabilities. It has been suggested, however, that equipping teachers with thorough training for this student population could improve outcomes for special education students overall. C.S.H.B. 3628 seeks to provide for the establishment of a special education certificate to ensure special education teachers have appropriate education and training to teach students with disabilities.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the State Board for Educator Certification in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 3628 amends the Education Code to require the State Board for Educator Certification (SBEC) to establish a special education certificate for purposes of ensuring that there are teachers with special training in providing instruction to students with disabilities. The bill requires a person, in order to be eligible for certification, beginning on or after January 1, 2021, to:

- satisfactorily complete the course work or training for that certificate in an educator preparation program, including a knowledge-based and skills-based course of instruction or field-based experience in providing instruction to students with disabilities;
- perform satisfactorily on a SBEC-prescribed special education certificate examination; and
- satisfy any other requirements prescribed by the SBEC.

C.S.H.B. 3628 requires the SBEC to propose rules establishing requirements and prescribing an examination for the certificate and establishing standards to govern the approval and renewal of approval of educator preparation programs for special education certification.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3628 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute revises the special education certificate eligibility requirement regarding satisfactorily completion of course work for that certificate in an educator preparation program by:

- including the option to satisfactorily complete training for the certificate as an alternative to completing that course work; and
- specifying that the course work or training includes either a knowledge-based and skills-based course of instruction or field-based experience in providing instruction to students with disabilities, instead of including both.

The substitute does not include a provision authorizing the SBEC to offer incentives to teachers to become special education certified if it determines there is a shortage of teachers who hold such certificates.