

By: González of El Paso, Bernal, Rosenthal

H.B. No. 116

Substitute the following for H.B. No. 116:

By: Bernal

C.S.H.B. No. 116

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to improving training and staff development for primary  
3 and secondary educators to enable them to more effectively serve  
4 all students.

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

6 SECTION 1. Section 21.001, Education Code, is amended by  
7 adding Subdivision (4) to read as follows:

8 (4) "Student with a disability" means a student who  
9 is:

10 (A) eligible to participate in a school  
11 district's special education program under Section 29.003;

12 (B) covered by Section 504, Rehabilitation Act of  
13 1973 (29 U.S.C. Section 794); or

14 (C) covered by the Individuals with Disabilities  
15 Education Act (20 U.S.C. Section 1400 et seq.).

16 SECTION 2. Section 21.044, Education Code, is amended by  
17 amending Subsections (a), (b), (c-1), and (g) and adding Subsection  
18 (a-1) to read as follows:

19 (a) The board shall propose rules:

20 (1) specifying what each educator is expected to know  
21 and be able to do, particularly with regard to students with  
22 disabilities;

23 (2) establishing the training requirements a person  
24 must accomplish to obtain a certificate, enter an internship, or

1 enter an induction-year program; and

2 (3) specifying~~[. The board shall specify]~~ the minimum  
3 academic qualifications required for a certificate.

4 (a-1) Any training requirements for a certificate specified  
5 under Subsection (a) must require that the person demonstrate:

6 (1) basic knowledge of:

7 (A) each disability category under the  
8 Individuals with Disabilities Education Act (20 U.S.C. Section 1400  
9 et seq.) and how each category can affect student learning and  
10 development; and

11 (B) conditions that may be considered a  
12 disability under Section 504, Rehabilitation Act of 1973 (29 U.S.C.  
13 Section 794), and how a condition covered by that section can affect  
14 student learning and development;

15 (2) competence in the use of proactive instructional  
16 planning techniques that:

17 (A) provide flexibility in the ways:

18 (i) information is presented;

19 (ii) students respond or demonstrate  
20 knowledge and skills; and

21 (iii) students are engaged;

22 (B) reduce barriers in instruction;

23 (C) provide appropriate accommodations,  
24 supports, and challenges; and

25 (D) maintain high achievement expectations for  
26 all students, including students with disabilities and students of  
27 limited English proficiency; and

1           (3) competence in the use of evidence-based inclusive  
2 instructional practices, including:

3                   (A) general and special education collaborative  
4 and co-teaching models and approaches;

5                   (B) multitiered systems of support, including  
6 response to intervention strategies, classroom and school level  
7 data-based collaborative structures, and evidence-based strategies  
8 for intervention and progress monitoring systems in academic areas;

9                   (C) classroom management techniques using  
10 evidence-based behavioral intervention strategies and supports;  
11 and

12                   (D) appropriate adaptation strategies, including  
13 accommodations, modifications, and instruction in the use of  
14 assistive technology for instruction.

15           (b) The [~~Any~~] minimum academic qualifications for a  
16 certificate specified under Subsection (a) [~~that require a person~~  
17 ~~to possess a bachelor's degree~~] must [~~also~~] require that the person  
18 receive, as part of the training required to obtain that  
19 certificate, instruction in detection and education of students  
20 with dyslexia.

21           (c-1) The [~~Any~~] minimum academic qualifications for a  
22 certificate specified under Subsection (a) [~~that require a person~~  
23 ~~to possess a bachelor's degree~~] must [~~also~~] require that the person  
24 receive, as part of the training required to obtain that  
25 certificate, instruction regarding mental health, substance abuse,  
26 and youth suicide. The instruction required must:

27                   (1) be provided through a program selected from the

1 list of recommended best practice-based programs and  
2 research-based practices established under Section 161.325, Health  
3 and Safety Code; and

4 (2) include effective strategies for teaching and  
5 intervening with students with mental or emotional disorders,  
6 including de-escalation techniques and positive behavioral  
7 interventions and supports.

8 (g) Each educator preparation program must provide  
9 information regarding:

10 (1) the skills that educators are required to possess,  
11 the responsibilities that educators are required to accept, and the  
12 high expectations for all students, including students with  
13 disabilities, in this state;

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

16 (3) the performance over time of the educator  
17 preparation program;

18 (4) the importance of building strong classroom  
19 management skills;

20 (5) the framework in this state for teacher and  
21 principal evaluation, including the procedures followed in  
22 accordance with Subchapter H; and

23 (6) appropriate relationships, boundaries, and  
24 communications between educators and students.

25 SECTION 3. Section 21.0443(b), Education Code, is amended  
26 to read as follows:

27 (b) To be eligible for approval or renewal of approval, an

1 educator preparation program must:

2 (1) incorporate proactive instructional planning  
3 techniques throughout course work and across content areas using a  
4 framework that:

5 (A) provides flexibility in the ways:

6 (i) information is presented;

7 (ii) students respond or demonstrate  
8 knowledge and skills; and

9 (iii) students are engaged;

10 (B) reduces barriers in instruction;

11 (C) provides appropriate accommodations,  
12 supports, and challenges; and

13 (D) maintains high achievement expectations for  
14 all students, including students with disabilities and students of  
15 limited English proficiency;

16 (2) integrate inclusive practices for all students,  
17 including students with disabilities, and evidence-based  
18 instruction and intervention strategies throughout course work,  
19 clinical experience, and student teaching;

20 (3) adequately prepare candidates for educator  
21 certification; and

22 (4) meet the standards and requirements of the board.

23 SECTION 4. Section 21.045(a), Education Code, is amended to  
24 read as follows:

25 (a) The board shall propose rules necessary to establish  
26 standards to govern the continuing accountability of all educator  
27 preparation programs based on the following information that is

1 disaggregated with respect to race, sex, and ethnicity:

2 (1) results of the certification examinations  
3 prescribed under Section 21.048(a);

4 (2) performance based on the appraisal system for  
5 beginning teachers adopted by the board;

6 (3) achievement, including improvement in  
7 achievement, of all students, including students with  
8 disabilities, taught by beginning teachers for the first three  
9 years following certification, to the extent practicable;

10 (4) compliance with board requirements regarding the  
11 frequency, duration, and quality of structural guidance and ongoing  
12 support provided by field supervisors to candidates completing  
13 student teaching, clinical teaching, or an internship; and

14 (5) results from a teacher satisfaction survey,  
15 developed by the board with stakeholder input, of new teachers  
16 performed at the end of the teacher's first year of teaching.

17 SECTION 5. Section 21.0453(a), Education Code, is amended  
18 to read as follows:

19 (a) The board shall require an educator preparation program  
20 to provide candidates for teacher certification with information  
21 concerning the following:

22 (1) skills and responsibilities required of teachers  
23 with regard to all students, including students with disabilities;

24 (2) expectations for student performance, including  
25 students with disabilities, based on state standards;

26 (3) the current supply of and demand for teachers in  
27 this state;

1           (4) the importance of developing classroom management  
2 skills; and

3           (5) the state's framework for appraisal of teachers  
4 and principals.

5           SECTION 6. Section 21.046(b), Education Code, is amended to  
6 read as follows:

7           (b) The qualifications for certification as a principal  
8 must be sufficiently flexible so that an outstanding teacher may  
9 qualify by substituting approved experience and professional  
10 training for part of the educational requirements. Supervised and  
11 approved on-the-job experience in addition to required internship  
12 shall be accepted in lieu of classroom hours. The qualifications  
13 must emphasize:

14           (1) instructional leadership, including the ability  
15 to create an inclusive school environment and to foster parent  
16 involvement;

17           (2) administration, supervision, and communication  
18 skills;

19           (3) curriculum and instruction management, including  
20 curriculum and instruction management for students with  
21 disabilities;

22           (4) performance evaluation;

23           (5) organization; and

24           (6) fiscal management.

25           SECTION 7. Section 21.047(c), Education Code, is amended to  
26 read as follows:

27           (c) A center may develop and implement a comprehensive

1 field-based educator preparation program to supplement the  
2 internship hours required in Section 21.050. This comprehensive  
3 field-based teacher program must:

4 (1) be designed on the basis of current research into  
5 state-of-the-art teaching practices applicable to all students,  
6 including students with disabilities, curriculum theory and  
7 application within diverse student populations, evaluation of  
8 student outcomes, and the effective application of technology; and

9 (2) have rigorous internal and external evaluation  
10 procedures that focus on content, delivery systems, and teacher and  
11 student outcomes.

12 SECTION 8. Sections 21.051(b) and (f), Education Code, are  
13 amended to read as follows:

14 (b) Before a school district may employ a candidate for  
15 certification as a teacher of record and, except as provided by  
16 Subsection (b-1), after the candidate's admission to an educator  
17 preparation program, the candidate must complete at least 15 hours  
18 of field-based experience in which the candidate is actively  
19 engaged in instructional or educational activities involving a  
20 diverse student population that, to the greatest extent  
21 practicable, includes students with disabilities under supervision  
22 at:

23 (1) a public school campus accredited or approved for  
24 the purpose by the agency; or

25 (2) a private school recognized or approved for the  
26 purpose by the agency.

27 (f) The board shall propose rules providing flexible



1 options for persons for any field-based experience or internship  
2 required for certification. The options must, to the greatest  
3 extent practicable, involve interaction with a diverse student  
4 population, including students with disabilities.

5 SECTION 9. Section 21.451, Education Code, is amended by  
6 adding Subsection (a-2) to read as follows:

7 (a-2) In designing the staff development described by  
8 Subsection (a), a school district must use procedures that, to the  
9 greatest extent possible, ensure the training included in the staff  
10 development:

11 (1) incorporates proactive instructional planning  
12 techniques using a framework that:

13 (A) provides flexibility in the ways:

14 (i) information is presented;

15 (ii) students respond or demonstrate  
16 knowledge and skills; and

17 (iii) students are engaged;

18 (B) reduces barriers to instruction;

19 (C) provides appropriate accommodations,  
20 supports, and challenges; and

21 (D) maintains high achievement expectations for  
22 all students, including students with disabilities and students of  
23 limited English proficiency; and

24 (2) integrates inclusive and evidence-based  
25 instructional practices for all students, including students with  
26 disabilities.

27 SECTION 10. This Act takes effect September 1, 2019.