

1-1 By: Lucio S.B. No. 293  
 1-2 (In the Senate - Filed January 3, 2019; February 7, 2019,  
 1-3 read first time and referred to Committee on Education;  
 1-4 April 30, 2019, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 1; April 30, 2019,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor	X			
1-9 Lucio			X	
1-10 Bettencourt	X			
1-11 Campbell	X			
1-12 Fallon	X			
1-13 Hall		X		
1-14 Hughes	X			
1-15 Paxton	X			
1-16 Powell	X			
1-17 Watson	X			
1-18 West	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 293 By: Powell

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to improving training and staff development for primary  
 1-24 and secondary educators to enable them to more effectively serve  
 1-25 all students.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Section 21.001, Education Code, is amended by  
 1-28 adding Subdivision (4) to read as follows:

1-29 (4) "Student with a disability" means a student who  
 1-30 is:

1-31 (A) eligible to participate in a school  
 1-32 district's special education program under Section 29.003;

1-33 (B) covered by Section 504, Rehabilitation Act of  
 1-34 1973 (29 U.S.C. Section 794); or

1-35 (C) covered by the Individuals with Disabilities  
 1-36 Education Act (20 U.S.C. Section 1400 et seq.).

1-37 SECTION 2. Section 21.044, Education Code, is amended by  
 1-38 amending Subsections (a), (b), (c-1), and (g) and adding Subsection  
 1-39 (a-1) to read as follows:

1-40 (a) The board shall propose rules:

1-41 (1) specifying what each educator is expected to know  
 1-42 and be able to do, particularly with regard to students with  
 1-43 disabilities;

1-44 (2) establishing the training requirements a person  
 1-45 must accomplish to obtain a certificate, enter an internship, or  
 1-46 enter an induction-year program; and

1-47 (3) specifying ~~[The board shall specify]~~ the minimum  
 1-48 academic qualifications required for a certificate.

1-49 (a-1) Any training requirements for a certificate specified  
 1-50 under Subsection (a) must require that the person demonstrate:

1-51 (1) basic knowledge of:

1-52 (A) each disability category under the  
 1-53 Individuals with Disabilities Education Act (20 U.S.C. Section 1400  
 1-54 et seq.) and how each category can affect student learning and  
 1-55 development; and

1-56 (B) conditions that may be considered a  
 1-57 disability under Section 504, Rehabilitation Act of 1973 (29 U.S.C.  
 1-58 Section 794), and how a condition covered by that section can affect  
 1-59 student learning and development;

1-60 (2) competence in the use of proactive instructional

2-1 planning techniques that:  
2-2 (A) provide flexibility in the ways:  
2-3 (i) information is presented;  
2-4 (ii) students respond or demonstrate  
2-5 knowledge and skills; and  
2-6 (iii) students are engaged;  
2-7 (B) reduce barriers in instruction;  
2-8 (C) provide appropriate accommodations,  
2-9 supports, and challenges; and  
2-10 (D) maintain high achievement expectations for  
2-11 all students, including students with disabilities and students of  
2-12 limited English proficiency; and  
2-13 (3) competence in the use of evidence-based inclusive  
2-14 instructional practices, including:  
2-15 (A) general and special education collaborative  
2-16 and co-teaching models and approaches;  
2-17 (B) multitiered systems of support, including  
2-18 response to intervention strategies, classroom and school level  
2-19 data-based collaborative structures, and evidence-based strategies  
2-20 for intervention and progress monitoring systems in academic areas;  
2-21 (C) classroom management techniques using  
2-22 evidence-based behavioral intervention strategies and supports;  
2-23 and  
2-24 (D) appropriate adaptation strategies, including  
2-25 accommodations, modifications, and instruction in the use of  
2-26 assistive technology for instruction.  
2-27 (b) The [Any] minimum academic qualifications for a  
2-28 certificate specified under Subsection (a) [that require a person  
2-29 to possess a bachelor's degree] must [also] require that the person  
2-30 receive, as part of the training required to obtain that  
2-31 certificate, instruction in detection and education of students  
2-32 with dyslexia.  
2-33 (c-1) The [Any] minimum academic qualifications for a  
2-34 certificate specified under Subsection (a) [that require a person  
2-35 to possess a bachelor's degree] must [also] require that the person  
2-36 receive, as part of the training required to obtain that  
2-37 certificate, instruction regarding mental health, substance abuse,  
2-38 and youth suicide. The instruction required must:  
2-39 (1) be provided through a program selected from the  
2-40 list of recommended best practice-based programs and  
2-41 research-based practices established under Section 161.325, Health  
2-42 and Safety Code; and  
2-43 (2) include effective strategies for teaching and  
2-44 intervening with students with mental or emotional disorders,  
2-45 including de-escalation techniques and positive behavioral  
2-46 interventions and supports.  
2-47 (g) Each educator preparation program must provide  
2-48 information regarding:  
2-49 (1) the skills that educators are required to possess,  
2-50 the responsibilities that educators are required to accept, and the  
2-51 high expectations for all students, including students with  
2-52 disabilities, in this state;  
2-53 (2) the effect of supply and demand forces on the  
2-54 educator workforce in this state;  
2-55 (3) the performance over time of the educator  
2-56 preparation program;  
2-57 (4) the importance of building strong classroom  
2-58 management skills;  
2-59 (5) the framework in this state for teacher and  
2-60 principal evaluation, including the procedures followed in  
2-61 accordance with Subchapter H; and  
2-62 (6) appropriate relationships, boundaries, and  
2-63 communications between educators and students.  
2-64 SECTION 3. Section 21.0443(b), Education Code, is amended  
2-65 to read as follows:  
2-66 (b) To be eligible for approval or renewal of approval, an  
2-67 educator preparation program must:  
2-68 (1) incorporate proactive instructional planning  
2-69 techniques throughout course work and across content areas using a

3-1 framework that:  
 3-2 (A) provides flexibility in the ways:  
 3-3 (i) information is presented;  
 3-4 (ii) students respond or demonstrate  
 3-5 knowledge and skills; and  
 3-6 (iii) students are engaged;  
 3-7 (B) reduces barriers in instruction;  
 3-8 (C) provides appropriate accommodations,  
 3-9 supports, and challenges; and  
 3-10 (D) maintains high achievement expectations for  
 3-11 all students, including students with disabilities and students of  
 3-12 limited English proficiency;  
 3-13 (2) integrate inclusive practices for all students,  
 3-14 including students with disabilities, and evidence-based  
 3-15 instruction and intervention strategies throughout course work,  
 3-16 clinical experience, and student teaching;  
 3-17 (3) adequately prepare candidates for educator  
 3-18 certification; and  
 3-19 (4) meet the standards and requirements of the board.

3-20 SECTION 4. Section 21.045(a), Education Code, is amended to  
 3-21 read as follows:

3-22 (a) The board shall propose rules necessary to establish  
 3-23 standards to govern the continuing accountability of all educator  
 3-24 preparation programs based on the following information that is  
 3-25 disaggregated with respect to race, sex, and ethnicity:

3-26 (1) results of the certification examinations  
 3-27 prescribed under Section 21.048(a);

3-28 (2) performance based on the appraisal system for  
 3-29 beginning teachers adopted by the board;

3-30 (3) achievement, including improvement in  
 3-31 achievement, of all students, including students with  
 3-32 disabilities, taught by beginning teachers for the first three  
 3-33 years following certification, to the extent practicable;

3-34 (4) compliance with board requirements regarding the  
 3-35 frequency, duration, and quality of structural guidance and ongoing  
 3-36 support provided by field supervisors to candidates completing  
 3-37 student teaching, clinical teaching, or an internship; and

3-38 (5) results from a teacher satisfaction survey,  
 3-39 developed by the board with stakeholder input, of new teachers  
 3-40 performed at the end of the teacher's first year of teaching.

3-41 SECTION 5. Section 21.0453(a), Education Code, is amended  
 3-42 to read as follows:

3-43 (a) The board shall require an educator preparation program  
 3-44 to provide candidates for teacher certification with information  
 3-45 concerning the following:

3-46 (1) skills and responsibilities required of teachers  
 3-47 with regard to all students, including students with disabilities;

3-48 (2) expectations for student performance, including  
 3-49 students with disabilities, based on state standards;

3-50 (3) the current supply of and demand for teachers in  
 3-51 this state;

3-52 (4) the importance of developing classroom management  
 3-53 skills; and

3-54 (5) the state's framework for appraisal of teachers  
 3-55 and principals.

3-56 SECTION 6. Section 21.046(b), Education Code, is amended to  
 3-57 read as follows:

3-58 (b) The qualifications for certification as a principal  
 3-59 must be sufficiently flexible so that an outstanding teacher may  
 3-60 qualify by substituting approved experience and professional  
 3-61 training for part of the educational requirements. Supervised and  
 3-62 approved on-the-job experience in addition to required internship  
 3-63 shall be accepted in lieu of classroom hours. The qualifications  
 3-64 must emphasize:

3-65 (1) instructional leadership, including the ability  
 3-66 to create an inclusive school environment and to foster parent  
 3-67 involvement;

3-68 (2) administration, supervision, and communication  
 3-69 skills;

4-1 (3) curriculum and instruction management, including  
4-2 curriculum and instruction management for students with  
4-3 disabilities;

4-4 (4) performance evaluation;

4-5 (5) organization; and

4-6 (6) fiscal management.

4-7 SECTION 7. Section 21.047(c), Education Code, is amended to  
4-8 read as follows:

4-9 (c) A center may develop and implement a comprehensive  
4-10 field-based educator preparation program to supplement the  
4-11 internship hours required in Section 21.050. This comprehensive  
4-12 field-based teacher program must:

4-13 (1) be designed on the basis of current research into  
4-14 state-of-the-art teaching practices applicable to all students,  
4-15 including students with disabilities, curriculum theory and  
4-16 application within diverse student populations, evaluation of  
4-17 student outcomes, and the effective application of technology; and

4-18 (2) have rigorous internal and external evaluation  
4-19 procedures that focus on content, delivery systems, and teacher and  
4-20 student outcomes.

4-21 SECTION 8. Sections 21.051(b) and (f), Education Code, are  
4-22 amended to read as follows:

4-23 (b) Before a school district may employ a candidate for  
4-24 certification as a teacher of record and, except as provided by  
4-25 Subsection (b-1), after the candidate's admission to an educator  
4-26 preparation program, the candidate must complete at least 15 hours  
4-27 of field-based experience in which the candidate is actively  
4-28 engaged in instructional or educational activities involving a  
4-29 diverse student population that, to the greatest extent  
4-30 practicable, includes students with disabilities under supervision  
4-31 at:

4-32 (1) a public school campus accredited or approved for  
4-33 the purpose by the agency; or

4-34 (2) a private school recognized or approved for the  
4-35 purpose by the agency.

4-36 (f) The board shall propose rules providing flexible  
4-37 options for persons for any field-based experience or internship  
4-38 required for certification. The options must, to the greatest  
4-39 extent practicable, involve interaction with a diverse student  
4-40 population, including students with disabilities.

4-41 SECTION 9. Section 21.451, Education Code, is amended by  
4-42 adding Subsection (a-2) to read as follows:

4-43 (a-2) In designing the staff development described by  
4-44 Subsection (a), a school district must use procedures that, to the  
4-45 greatest extent possible, ensure the training included in the staff  
4-46 development:

4-47 (1) incorporates proactive instructional planning  
4-48 techniques using a framework that:

4-49 (A) provides flexibility in the ways:

4-50 (i) information is presented;

4-51 (ii) students respond or demonstrate  
4-52 knowledge and skills; and

4-53 (iii) students are engaged;

4-54 (B) reduces barriers to instruction;

4-55 (C) provides appropriate accommodations,  
4-56 supports, and challenges; and

4-57 (D) maintains high achievement expectations for  
4-58 all students, including students with disabilities and students of  
4-59 limited English proficiency; and

4-60 (2) integrates inclusive and evidence-based  
4-61 instructional practices for all students, including students with  
4-62 disabilities.

4-63 SECTION 10. This Act takes effect September 1, 2019.

4-64 \* \* \* \* \*