

AN ACT

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

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

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

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

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

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

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

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

(a) The board shall propose rules:

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

(2) establishing the training requirements a person 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:

1 (A) a program selected from the list of
2 recommended best practice-based programs and research-based
3 practices established under Section 38.351; or

4 (B) a course offered by any accredited public or
5 private postsecondary educational institution as part of a degree
6 program; and

7 (2) include effective strategies, including
8 de-escalation techniques and positive behavioral interventions and
9 supports, for teaching and intervening with students with mental
10 health conditions or who engage in substance abuse.

11 (g) Each educator preparation program must provide
12 information regarding:

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

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

19 (3) the performance over time of the educator
20 preparation program;

21 (4) the importance of building strong classroom
22 management skills;

23 (5) the framework in this state for teacher and
24 principal evaluation, including the procedures followed in
25 accordance with Subchapter H; and

26 (6) appropriate relationships, boundaries, and
27 communications between educators and students.

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

3 (b) To be eligible for approval or renewal of approval, an
4 educator preparation program must:

5 (1) incorporate proactive instructional planning
6 techniques throughout course work and across content areas using a
7 framework that:

8 (A) provides flexibility in the ways:

9 (i) information is presented;

10 (ii) students respond or demonstrate
11 knowledge and skills; and

12 (iii) students are engaged;

13 (B) reduces barriers in instruction;

14 (C) provides appropriate accommodations,
15 supports, and challenges; and

16 (D) maintains high achievement expectations for
17 all students, including students with disabilities and students of
18 limited English proficiency;

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

23 (3) adequately prepare candidates for educator
24 certification; and

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

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

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

5 (1) results of the certification examinations
6 prescribed under Section 21.048(a);

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

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

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

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

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

22 (a) The board shall require an educator preparation program
23 to provide candidates for teacher certification with information
24 concerning the following:

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

27 (2) expectations for student performance, including

1 students with disabilities, based on state standards;

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

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

6 (5) the state's framework for appraisal of teachers
7 and principals.

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

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

17 (1) instructional leadership, including the ability
18 to create an inclusive school environment and to foster parent
19 involvement;

20 (2) administration, supervision, and communication
21 skills;

22 (3) curriculum and instruction management, including
23 curriculum and instruction management for students with
24 disabilities;

25 (4) performance evaluation;

26 (5) organization; and

27 (6) fiscal management.

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

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

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

12 (2) have rigorous internal and external evaluation
13 procedures that focus on content, delivery systems, and teacher and
14 student outcomes.

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

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

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

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

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

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

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

14 (1) incorporates proactive instructional planning
15 techniques using a framework that:

16 (A) provides flexibility in the ways:

17 (i) information is presented;

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

20 (iii) students are engaged;

21 (B) reduces barriers in instruction;

22 (C) provides appropriate accommodations,
23 supports, and challenges; and

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

27 (2) integrates inclusive and evidence-based

1 instructional practices for all students, including students with
2 disabilities.

3 SECTION 10. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 159 was passed by the House on May 4, 2021, by the following vote: Yeas 103, Nays 42, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 159 was passed by the Senate on May 20, 2021, by the following vote: Yeas 22, Nays 8, 1 present, not voting.

Secretary of the Senate

APPROVED: _____

Date

Governor