

By: Creighton, et al.

S.B. No. 9

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the rights, certification, and compensation of public  
3 school educators and assistance provided to public schools by the  
4 Texas Education Agency related to public school educators and to  
5 certain allotments under the Foundation School Program.

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

7 SECTION 1. Section 11.1513, Education Code, is amended by  
8 adding Subsection (1) to read as follows:

9 (1) The employment policy must provide that:

10 (1) before the beginning of each school year, the  
11 district shall provide a duty calendar for certain professional  
12 staff as required by Section 11.15131; and

13 (2) for purposes of determining the amount of a  
14 reduction in the salary of a classroom teacher, full-time  
15 counselor, or full-time librarian for unpaid leave, the employee's  
16 daily rate of pay is computed by dividing the employee's annual  
17 salary by the number of days the employee is expected to work for  
18 that school year as provided by the district's duty calendar  
19 adopted under Section 11.15131.

20 SECTION 2. Subchapter D, Chapter 11, Education Code, is  
21 amended by adding Section 11.15131 to read as follows:

22 Sec. 11.15131. DUTY CALENDAR FOR CERTAIN PROFESSIONAL  
23 STAFF. (a) In this section, "supplemental duty" means a duty other  
24 than a duty assigned under an employee's contract that is generally

1 expected to be performed during an instructional day and which may  
2 be governed by an agreement, other than the employee's contract,  
3 between the district and the employee.

4 (b) Not later than the 15th day before the first  
5 instructional day of each school year, the board of trustees of a  
6 school district shall adopt and provide to each classroom teacher,  
7 full-time counselor, and full-time librarian employed by the  
8 district a calendar that specifies the days each employee is  
9 expected to work for that school year, including the days on which  
10 the employee is expected to perform supplemental duties for more  
11 than 30 minutes outside of the instructional day.

12 SECTION 3. Section 21.105, Education Code, is amended by  
13 amending Subsection (c) and adding Subsection (g) to read as  
14 follows:

15 (c) Subject to Subsections (e), ~~and~~ (f), and (g), on  
16 written complaint by the employing district, the State Board for  
17 Educator Certification may impose sanctions against a teacher  
18 employed under a probationary contract who:

- 19 (1) resigns;  
20 (2) fails without good cause to comply with Subsection  
21 (a) or (b); and  
22 (3) fails to perform the contract.

23 (g) The State Board for Educator Certification may not  
24 impose a sanction under Subsection (c) against a teacher who  
25 relinquishes a position under a probationary contract and leaves  
26 the employment of the district after the 45th day before the first  
27 day of instruction for the upcoming school year in violation of

1 Subsection (a) and without the consent of the board of trustees  
2 under Subsection (b), if the teacher's failure to comply with  
3 Subsection (a) was due to:

4 (1) the teacher, or a close family member of the  
5 teacher, developing a serious illness or experiencing a significant  
6 change in health condition;

7 (2) the teacher relocating because the teacher's  
8 spouse or a partner who resides with the teacher changes employers;

9 (3) the needs of the teacher's family changing  
10 significantly in a manner that requires the teacher to:

11 (A) relocate; or

12 (B) forgo employment during a period of required  
13 employment under the teacher's contract; or

14 (4) the teacher reasonably believing that the teacher  
15 received written permission from the school district to resign.

16 SECTION 4. Section 21.160, Education Code, is amended by  
17 amending Subsection (c) and adding Subsection (g) to read as  
18 follows:

19 (c) Subject to Subsections (e), ~~and~~ (f), and (g), on  
20 written complaint by the employing district, the State Board for  
21 Educator Certification may impose sanctions against a teacher who  
22 is employed under a continuing contract that obligates the district  
23 to employ the person for the following school year and who:

24 (1) resigns;

25 (2) fails without good cause to comply with Subsection  
26 (a) or (b); and

27 (3) fails to perform the contract.

1       (g) The State Board for Educator Certification may not  
2 impose a sanction under Subsection (c) against a teacher who  
3 relinquishes a position under a continuing contract and leaves the  
4 employment of the district after the 45th day before the first day  
5 of instruction of the upcoming school year in violation of  
6 Subsection (a) and without the consent of the board of trustees  
7 under Subsection (b), if the teacher's failure to comply with  
8 Subsection (a) was due to:

9           (1) the teacher, or a close family member of the  
10 teacher, developing a serious illness or experiencing a significant  
11 change in health condition;

12           (2) the teacher relocating because the teacher's  
13 spouse or a partner who resides with the teacher changes employers;

14           (3) the needs of the teacher's family changing  
15 significantly in a manner that requires the teacher to:

16                   (A) relocate; or

17                   (B) forgo employment during a period of required  
18 employment under the teacher's contract; or

19           (4) the teacher reasonably believing that the teacher  
20 received written permission from the school district to resign.

21       SECTION 5. Section [21.210](#), Education Code, is amended by  
22 amending Subsection (c) and adding Subsection (g) to read as  
23 follows:

24       (c) Subject to Subsections (e), ~~and~~ (f), and (g), on  
25 written complaint by the employing district, the State Board for  
26 Educator Certification may impose sanctions against a teacher who  
27 is employed under a term contract that obligates the district to

1 employ the person for the following school year and who:

2 (1) resigns;

3 (2) fails without good cause to comply with Subsection  
4 (a) or (b); and

5 (3) fails to perform the contract.

6 (g) The State Board for Educator Certification may not  
7 impose a sanction under Subsection (c) against a teacher who  
8 relinquishes a position under a term contract and leaves the  
9 employment of the district after the 45th day before the first day  
10 of instruction of the upcoming school year in violation of  
11 Subsection (a) and without the consent of the board of trustees  
12 under Subsection (b), if the teacher's failure to comply with  
13 Subsection (a) was due to:

14 (1) the teacher, or a close family member of the  
15 teacher, developing a serious illness or experiencing a significant  
16 change in health condition;

17 (2) the teacher relocating because the teacher's  
18 spouse or a partner who resides with the teacher changes employers;

19 (3) the needs of the teacher's family changing  
20 significantly in a manner that requires the teacher to:

21 (A) relocate; or

22 (B) forgo employment during a period of required  
23 employment under the teacher's contract; or

24 (4) the teacher reasonably believing that the teacher  
25 received written permission from the school district to resign.

26 SECTION 6. Section 21.257, Education Code, is amended by  
27 amending Subsection (a) and adding Subsection (f) to read as

1 follows:

2 (a) Except as provided by Subsection (f), not ~~[Not]~~ later  
3 than the 60th day after the date on which the commissioner receives  
4 a teacher's written request for a hearing, the hearing examiner  
5 shall complete the hearing and make a written recommendation that:

6 (1) includes proposed findings of fact and conclusions  
7 of law; and

8 (2) may include a proposal for granting relief.

9 (f) The hearing examiner may dismiss a hearing before  
10 completing the hearing or making a written recommendation if:

11 (1) the teacher requests the dismissal;

12 (2) the school district withdraws the proposed  
13 decision that is the basis of the hearing; or

14 (3) the teacher and school district request the  
15 dismissal after reaching a settlement regarding the proposed  
16 decision that is the basis of the hearing.

17 SECTION 7. Sections 21.3521(a), (c), and (e), Education  
18 Code, are amended to read as follows:

19 (a) Subject to Subsection (b), a school district or  
20 open-enrollment charter school may designate a classroom teacher as  
21 a master, exemplary, ~~[ex]~~ recognized, or accomplished teacher for a  
22 five-year period based on the results from single year or multiyear  
23 appraisals that comply with Section 21.351 or 21.352.

24 (c) Notwithstanding performance standards established  
25 under Subsection (b), a classroom teacher that holds a National  
26 Board Certification issued by the National Board for Professional  
27 Teaching Standards may be designated as a master teacher

1 ~~[recognized]~~.

2 (e) The agency shall develop and provide technical  
3 assistance for school districts and open-enrollment charter  
4 schools that request assistance in implementing a local optional  
5 teacher designation system, including:

6 (1) providing assistance in prioritizing high needs  
7 campuses;

8 (2) providing examples of local optional teacher  
9 designation systems; and

10 (3) applying the performance and validity standards  
11 established by the commissioner under Subsection (b).

12 SECTION 8. Subchapter I, Chapter 21, Education Code, is  
13 amended by adding Sections 21.416 and 21.417 to read as follows:

14 Sec. 21.416. EMPLOYED RETIREE TEACHER REIMBURSEMENT GRANT  
15 PROGRAM. (a) From funds appropriated or otherwise available, the  
16 commissioner shall establish and administer a grant program to  
17 award funds to reimburse a school district or open-enrollment  
18 charter school that hires a teacher who retired before September 1,  
19 2022, for the increased contributions to the Teacher Retirement  
20 System associated with hiring the retired teacher.

21 (b) In appropriating money for grants awarded under this  
22 section, the legislature may provide for, modify, or limit amounts  
23 appropriated for that purpose in the General Appropriations Act,  
24 including by:

25 (1) providing, notwithstanding Subsection (a), a date  
26 or date range other than September 1, 2022, before which a teacher  
27 must have retired for a school district or open-enrollment charter

1 school that hires the teacher to be eligible; or

2 (2) limiting eligibility to a school district or  
3 open-enrollment charter school that hires a retired teacher:

4 (A) who holds a certain certification;

5 (B) to teach a certain subject or grade;

6 (C) in a certain geographical area; or

7 (D) to provide instruction to certain students,  
8 including to students with disabilities.

9 (c) The commissioner shall proportionally reduce the amount  
10 of funds awarded to school districts and open-enrollment charter  
11 schools under this section if the number of grant applications by  
12 eligible districts or schools exceeds the number of grants the  
13 commissioner could award with the money appropriated or otherwise  
14 available for the purpose.

15 (d) A school district or open-enrollment charter school may  
16 use funds received under this section to make required payments  
17 under Section 825.4092, Government Code.

18 Sec. 21.417. SALARY INCREASE FOR CLASSROOM TEACHERS. (a)  
19 Notwithstanding any other law, each public school classroom teacher  
20 in this state is entitled to a salary increase in the 2023-2024  
21 school year equal to:

22 (1) at least \$\_\_\_\_\_; and

23 (2) if the classroom teacher is employed by a school  
24 district with fewer than 20,000 enrolled students, an additional  
25 increase equal to \$\_\_\_\_\_.

26 (b) This section expires September 1, 2025.

27 SECTION 9. Subchapter J, Chapter 21, Education Code, is



1 amended by adding Sections 21.466 and 21.467 to read as follows:

2 Sec. 21.466. TEACHER QUALITY ASSISTANCE. (a) From funds  
3 appropriated or otherwise available for the purpose, the agency  
4 shall develop training for and provide technical assistance to  
5 school districts and open-enrollment charter schools regarding:

6 (1) strategic compensation, staffing, and scheduling  
7 efforts that improve professional growth, teacher leadership  
8 opportunities, and staff retention;

9 (2) programs that encourage high school students or  
10 other members of the community in the area served by the district to  
11 become teachers, including available teacher apprenticeship  
12 programs; and

13 (3) programs or strategies that school leaders may use  
14 to establish clear and attainable behavior expectations while  
15 proactively supporting students.

16 (b) From funds appropriated or otherwise available, the  
17 agency shall provide grants to school districts and open-enrollment  
18 charter schools to implement initiatives developed under this  
19 section.

20 Sec. 21.467. TEACHER TIME STUDY. (a) From funds  
21 appropriated or otherwise available for the purpose, the agency  
22 shall develop and maintain a technical assistance program to  
23 support school districts and open-enrollment charter schools in:

24 (1) studying how the district's or school's staff and  
25 student schedules, required noninstructional duties for classroom  
26 teachers, and professional development requirements for educators  
27 are affecting the amount of time classroom teachers work each week;

1 and

2 (2) refining the schedules for students or staff as  
3 necessary to ensure teachers have sufficient time during normal  
4 work hours to fulfill all job duties, including addressing the  
5 needs of students.

6 (b) The agency shall periodically make findings and  
7 recommendations for best practices publicly available using  
8 information from participating school districts and  
9 open-enrollment charter schools.

10 SECTION 10. Chapter 21, Education Code, is amended by  
11 adding Subchapter R to read as follows:

12 SUBCHAPTER R. TEXAS TEACHER RESIDENCY PARTNERSHIP PROGRAM

13 Sec. 21.901. DEFINITIONS. In this subchapter:

14 (1) "Board" means the State Board for Educator  
15 Certification.

16 (2) "Mentor teacher" means a classroom teacher who:

17 (A) meets the qualifications for assignment as a  
18 mentor under Section 21.458; and

19 (B) is employed by a school district or  
20 open-enrollment charter school participating in a partnership  
21 program under this subchapter and paired with a partnership  
22 resident at the district or school.

23 (3) "Partnership program" means a Texas Teacher  
24 Residency Partnership Program established at a school district or  
25 open-enrollment charter school in accordance with this subchapter.

26 (4) "Partnership resident" means a person enrolled in  
27 a qualified educator preparation program participating in a

1 partnership program as a candidate for educator certification.

2 (5) "Qualified educator preparation program" means an  
3 educator preparation program approved by the board in accordance  
4 with rules proposed under Section 21.903.

5 Sec. 21.902. ESTABLISHMENT OF PARTNERSHIP PROGRAM. (a)  
6 The commissioner shall establish the Texas Teacher Residency  
7 Partnership Program to enable qualified educator preparation  
8 programs to form partnerships with school districts or  
9 open-enrollment charter schools to provide residency positions to  
10 partnership residents at the district or school.

11 (b) The partnership program must be designed to:

12 (1) allow partnership residents to receive  
13 field-based experience working with classroom teachers in  
14 prekindergarten through grade 12 classrooms; and

15 (2) gradually increase the amount of time a  
16 partnership resident spends engaging in instructional  
17 responsibilities, including observation, co-teaching, and  
18 lead-teaching responsibilities.

19 Sec. 21.903. QUALIFIED EDUCATOR PREPARATION PROGRAMS. The  
20 board shall propose rules specifying the requirements for board  
21 approval of an educator preparation program as a qualified educator  
22 preparation program for purposes of this subchapter. The rules  
23 must require an educator preparation program to:

24 (1) use research-based best practices for recruiting  
25 and admitting candidates into the educator preparation program to  
26 participate in the partnership program;

27 (2) integrate curriculum, classroom practice, and

1 formal observation and feedback;

2 (3) use multiple assessments to measure a partnership  
3 resident's progress in the partnership program; and

4 (4) ensure a school district or open-enrollment  
5 charter school with which an educator preparation program partners  
6 under this subchapter meets the requirements for participating  
7 districts and schools under Section 21.904.

8 Sec. 21.904. REQUIREMENTS FOR PARTICIPATING DISTRICTS AND  
9 SCHOOLS. (a) A school district or open-enrollment charter school  
10 participating in the partnership program shall:

11 (1) enter into a written agreement with a qualified  
12 educator preparation program to:

13 (A) provide a partnership resident with at least  
14 one school year of clinical teaching in a residency position at the  
15 district or school in the subject area and grade level for which the  
16 resident seeks certification; and

17 (B) pair the partnership resident with a mentor  
18 teacher;

19 (2) only use money received under Section 48.157 to:

20 (A) implement the partnership program; and

21 (B) provide compensation to:

22 (i) partnership residents in residency  
23 positions at the district or school; and

24 (ii) mentor teachers who are paired with  
25 partnership residents at the district or school;

26 (3) pay at least 50 percent of the compensation paid to  
27 partnership residents using money other than money received under

1 Section 48.157; and

2 (4) provide any information required by the agency  
3 regarding the district's or school's implementation of the program.

4 (b) A school district or open-enrollment charter school may  
5 only pair a partnership resident with a mentor teacher who agrees to  
6 participate in that role in a partnership program at the district or  
7 school partnership program.

8 (c) A partnership resident may not serve as a teacher of  
9 record, as that term is defined by Section 21.051.

10 Sec. 21.905. RESIDENCY EDUCATOR CERTIFICATE. The board  
11 shall propose rules specifying the requirements for the issuance of  
12 a residency educator certificate to a partnership resident who has  
13 successfully completed the program.

14 Sec. 21.906. AGENCY SUPPORT. The agency shall provide  
15 technical assistance, planning, and support to school districts,  
16 open-enrollment charter schools, and qualified educator  
17 preparation programs, which must include:

18 (1) providing model forms and agreements a district,  
19 school, or educator preparation program may use to comply with the  
20 requirements of this subchapter; and

21 (2) support for district and school strategic staffing  
22 and compensation models to incentivize participation in a  
23 partnership program.

24 Sec. 21.907. AUTHORITY TO ACCEPT CERTAIN FUNDS. The  
25 commissioner may solicit and accept gifts, grants, and donations  
26 from public and private entities to use for the purposes of this  
27 subchapter.

1       Sec. 21.908. RULES; NEGOTIATED RULEMAKING. (a) The board  
2 shall propose rules necessary to implement this subchapter,  
3 including rules under Sections 21.903 and 21.905.

4       (b) The commissioner shall adopt rules as necessary to  
5 implement this subchapter.

6       SECTION 11. Section 29.153(b), Education Code, is amended  
7 to read as follows:

8       (b) A child is eligible for enrollment in a prekindergarten  
9 class under this section if the child is at least three years of age  
10 and:

11           (1) is unable to speak and comprehend the English  
12 language;

13           (2) is educationally disadvantaged;

14           (3) is homeless, regardless of the residence of the  
15 child, of either parent of the child, or of the child's guardian or  
16 other person having lawful control of the child;

17           (4) is the child of an active duty member of the armed  
18 forces of the United States, including the state military forces or  
19 a reserve component of the armed forces, who is ordered to active  
20 duty by proper authority;

21           (5) is the child of a member of the armed forces of the  
22 United States, including the state military forces or a reserve  
23 component of the armed forces, who was injured or killed while  
24 serving on active duty;

25           (6) is or ever has been in:

26                   (A) the conservatorship of the Department of  
27 Family and Protective Services following an adversary hearing held

1 as provided by Section 262.201, Family Code; or

2 (B) foster care in another state or territory, if  
3 the child resides in this state; ~~[or]~~

4 (7) is the child of a person eligible for the Star of  
5 Texas Award as:

6 (A) a peace officer under Section 3106.002,  
7 Government Code;

8 (B) a firefighter under Section 3106.003,  
9 Government Code; or

10 (C) an emergency medical first responder under  
11 Section 3106.004, Government Code; or

12 (8) is the child of a person employed as a classroom  
13 teacher at a public primary or secondary school in the school  
14 district that offers a prekindergarten class under this section.

15 SECTION 12. Sections 37.002(b), (c), and (d), Education  
16 Code, are amended to read as follows:

17 (b) A teacher may remove from class a student who:

18 (1) interferes ~~[who has been documented by the teacher~~  
19 ~~to repeatedly interfere]~~ with the teacher's ability to communicate  
20 effectively with the students in the class or with the ability of  
21 the student's classmates to learn; ~~[or]~~

22 (2) demonstrates ~~[whose]~~ behavior that is  
23 disrespectful toward the teacher or another adult; or

24 (3) engages in conduct that constitutes bullying, as  
25 defined by Section 37.0832 ~~[determines is so unruly, disruptive, or~~  
26 ~~abusive that it seriously interferes with the teacher's ability to~~  
27 ~~communicate effectively with the students in the class or with the~~

1 ~~ability of the student's classmates to learn]~~.

2 (c) If a teacher removes a student from class under  
3 Subsection (b), the principal may place the student into another  
4 appropriate classroom, into in-school suspension, or into a  
5 disciplinary alternative education program as provided by Section  
6 37.008. The principal may not return the student to that teacher's  
7 class without the teacher's written consent unless the committee  
8 established under Section 37.003 determines that such placement is  
9 the best or only alternative available. The principal may not  
10 return the student to that teacher's class, regardless of the  
11 teacher's consent, until a return to class plan has been prepared  
12 for that student. The principal may only designate an employee of  
13 the school whose primary duties do not include classroom  
14 instruction to create a return to class plan. The terms of the  
15 removal may prohibit the student from attending or participating in  
16 school-sponsored or school-related activity.

17 (d) A teacher shall remove from class and send to the  
18 principal for placement in a disciplinary alternative education  
19 program or for expulsion, as appropriate, a student who engages in  
20 conduct described under Section 37.006 or 37.007. The student may  
21 not be returned to that teacher's class without the teacher's  
22 written consent unless the committee established under Section  
23 37.003 determines that such placement is the best or only  
24 alternative available. If the teacher removed the student from  
25 class because the student has engaged in the elements of any offense  
26 listed in Section 37.006(a)(2)(B) or Section 37.007(a)(2)(A) or  
27 (b)(2)(C) against the teacher, the student may not be returned to



1 the teacher's class without the teacher's consent. The teacher may  
2 not be coerced to consent.

3 SECTION 13. Sections 48.112(c) and (d), Education Code, are  
4 amended to read as follows:

5 (c) For each classroom teacher with a teacher designation  
6 under Section 21.3521 employed by a school district, the school  
7 district is entitled to an allotment equal to the following  
8 applicable base amount increased by the high needs and rural factor  
9 as determined under Subsection (d):

10 (1) \$12,000, or an increased amount not to exceed  
11 \$36,000 [~~\$32,000~~] as determined under Subsection (d), for each  
12 master teacher;

13 (2) \$9,000 [~~\$6,000~~], or an increased amount not to  
14 exceed \$25,000 [~~\$18,000~~] as determined under Subsection (d), for  
15 each exemplary teacher; ~~and~~

16 (3) \$5,000 [~~\$3,000~~], or an increased amount not to  
17 exceed \$15,000 [~~\$9,000~~] as determined under Subsection (d), for  
18 each recognized teacher; and

19 (4) \$3,000, or an increased amount not to exceed  
20 \$9,000 as determined under Subsection (d), for each accomplished  
21 teacher.

22 (d) The high needs and rural factor is determined by  
23 multiplying the following applicable amounts by the average of the  
24 point value assigned to each student at a district campus under  
25 Subsection (e):

26 (1) \$6,000 [~~\$5,000~~] for each master teacher;

27 (2) \$4,000 [~~\$3,000~~] for each exemplary teacher; ~~and~~

1 (3) \$2,500 [~~\$1,500~~] for each recognized teacher; and

2 (4) \$1,500 for each accomplished teacher.

3 SECTION 14. Section 48.114, Education Code, is amended by  
4 amending Subsection (a) and adding Subsection (d) to read as  
5 follows:

6 (a) A school district [~~that has implemented a mentoring~~  
7 ~~program for classroom teachers who have less than two years of~~  
8 ~~teaching experience under Section 21.458~~] is entitled to an  
9 allotment as determined under Subsection (b) to fund a [~~the~~]  
10 mentoring program and to provide stipends for mentor teachers if:

11 (1) the district has implemented a mentoring program  
12 for classroom teachers under Section 21.458; and

13 (2) the mentor teachers assigned under that program  
14 complete a training program that is required or developed by the  
15 agency for mentor teachers.

16 (d) A school district is entitled to an allotment of \$2,000  
17 for each classroom teacher with less than two years of experience  
18 who participates in a mentoring program described by Subsection  
19 (a). A district may receive an allotment under this section for no  
20 more than 40 teachers during a school year unless an appropriation  
21 is made for the purposes of providing a greater number of allotments  
22 per district.

23 SECTION 15. Subchapter D, Chapter 48, Education Code, is  
24 amended by adding Sections 48.157 and 48.158 to read as follows:

25 Sec. 48.157. RESIDENCY PARTNERSHIP ALLOTMENT. (a) In this  
26 section:

27 (1) "Partnership program" and "partnership resident"

1 have the meanings assigned by Section 21.901.

2 (2) "Rural campus" has the meaning assigned by Section  
3 48.112.

4 (b) For each partnership resident employed at a district in  
5 a residency position under Subchapter R, Chapter 21, the district  
6 is entitled to an allotment equal to a base amount of \$22,000  
7 increased by the high needs and rural factor, as determined under  
8 Subsection (c), to an amount not to exceed \$42,000.

9 (c) The high needs and rural factor is determined by  
10 multiplying \$5,000 by the lesser of:

11 (1) the average of the point value assigned to each  
12 student at a district campus under Section 48.112(d); or

13 (2) 4.0.

14 (d) In addition to the funding under Subsection (b), a  
15 district that qualifies for an allotment under this section is  
16 entitled to an additional \$2,000 for each partnership resident  
17 employed in a residency position at the district who is a candidate  
18 for special education certification.

19 (e) The Texas School for the Deaf and the Texas School for  
20 the Blind and Visually Impaired are entitled to an allotment under  
21 this section. If the commissioner determines that assigning point  
22 values under Subsection (c) to students enrolled in the Texas  
23 School for the Deaf or the Texas School for the Blind and Visually  
24 Impaired is impractical, the commissioner may use the average point  
25 value assigned for those students' home districts for purposes of  
26 calculating the high needs and rural factor.

27 Sec. 48.158. FUNDING FOR CERTAIN CERTIFICATIONS. (a) A

1 school district is entitled to the cost of certification fees for  
2 each classroom teacher who received a certification in special  
3 education or bilingual education in the preceding school year. From  
4 money received under this section, the district shall reimburse  
5 each teacher who received a certification in special education or  
6 bilingual education during the preceding school year the cost of  
7 certification fees associated with that certification.

8 (b) Reimbursement received by a classroom teacher under  
9 this section may not be considered when calculating the teacher's  
10 salary for the purposes of Section 21.402.

11 SECTION 16. The following provisions are repealed:

- 12 (1) Section 21.042, Education Code;
- 13 (2) Subchapter Q, Chapter 21, Education Code;
- 14 (3) Section 37.002(e), Education Code;
- 15 (4) Section 48.114(b), Education Code; and
- 16 (5) Section 825.4092(f), Government Code, as added by
- 17 Chapter 546 (S.B. 202), Acts of the 87th Legislature, Regular
- 18 Session, 2021.

19 SECTION 17. Section 21.257(f), Education Code, as added by

20 this Act, applies only to a hearing before a hearing examiner

21 commenced on or after the effective date of this Act.

22 SECTION 18. Section 21.3521, Education Code, as amended by

23 this Act, does not affect a teacher designation made under that

24 section before the effective date of this Act. A teacher

25 designation made under Section 21.3521, Education Code, and funding

26 provided to a school district under Section 48.112, Education Code,

27 for a teacher with that designation before the effective date of

1 this Act are governed by the law in effect on the date the  
2 designation was made, and the former law is continued in effect for  
3 that purpose.

4 SECTION 19. (a) Except as provided by Subsection (b) of this  
5 section, this Act takes effect immediately if this Act receives a  
6 vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, the  
9 entirety of this Act takes effect September 1, 2023.

10 (b) Sections 48.112(c) and (d) and 48.114, Education Code,  
11 as amended by this Act, and Sections 48.157 and 48.158, Education  
12 Code, as added by this Act, take effect September 1, 2023.