

BILL ANALYSIS

C.S.H.B. 2243
By: Oliverson
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 2022, Governor Abbott established the Teacher Vacancy Task Force to study the causes of and solutions to teacher retention and recruitment challenges across Texas. In its final report, the task force made many recommendations, such as focusing on the areas of compensation, training and support, and working conditions, though few of these recommendations have been implemented. The task force highlighted the need to focus on valuing teacher time and ensuring adequate discipline support in the report, stating that research shows a strong connection between working conditions and teacher attrition and also that teachers report that "[they] are not given sufficient time to do what they are hired to do: teach." The bill author has informed the committee that many educators struggle with excessive paperwork and administrative duties, reducing the amount of time they can dedicate to classroom instruction, as well as with confusing and burdensome laws governing student discipline. C.S.H.B. 2243 seeks to address these challenges by creating a commission to develop recommendations to improve student outcomes by addressing issues related to teacher job retention and satisfaction, including methods to reduce administrative burdens and the impact of state and federal law relating to student discipline on teacher job satisfaction and effectiveness.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2243 amends the Education Code to establish the Texas Commission on Teacher Job Satisfaction and Retention for purposes of developing and making recommendations for improving teacher job satisfaction and retention. The bill specifies the composition of the 13-member commission, which consists of the following members who must be appointed not later than the 30th day after the bill's effective date:

- five members appointed by the governor;
- four members appointed by the lieutenant governor; and
- four members appointed by the speaker of the house of representatives.

Appointments made by the governor must include at least three people who are current or former classroom teachers with at least 10 years of teaching experience and appointments made by the lieutenant governor and the speaker of the house of representatives must each consist of three members of the applicable legislative chamber and an administrator in the public school system or an elected member of the board of trustees of a public school district. The bill requires the governor, lieutenant governor, and speaker of the house of representatives, in making

appointments to the commission, to coordinate to ensure that the membership of the commission reflects, to the extent possible, the ethnic and geographic diversity of Texas. The bill requires the governor to designate a member of the commission to serve as presiding officer of the commission.

C.S.H.B. 2243 establishes that a member of the commission is not entitled to compensation for service on the commission but is entitled to reimbursement for actual and necessary expenses incurred in performing commission duties. The bill authorizes the commission to hire employees and hire or contract with legal counsel as necessary to carry out the purposes of the commission. The bill requires staff members of the Texas Education Agency (TEA) to provide administrative support for the commission. If TEA employs a staff member whose sole duty is to provide such support, TEA must consult with the presiding officer or the presiding officer's designee in the hiring or selection of the staff member. The bill requires funding for the administrative, staffing, legal, and operational expenses of the commission to be provided by appropriation to TEA for that purpose.

C.S.H.B. 2243 authorizes TEA to procure goods and services to support the commission's work, including research and consulting services. The bill exempts a contract awarded by TEA to implement the bill's provisions from the competitive bidding contract procedures established by certain Government Code provisions relating to state purchasing and from the requirements of the Professional Services Procurement Act. The bill requires TEA, for the purposes of procurement under these provisions, to enter into a contract only if the contract is approved by a majority vote of the commission's members.

C.S.H.B. 2243 requires the commission to develop recommendations to improve student outcomes by addressing issues related to teacher job satisfaction and retention, including the following:

- methods to reduce the paperwork and other administrative burdens placed on teachers, including by evaluating the effectiveness of applicable state law in reducing paperwork for teachers;
- the impact of requirements in the Education Code and commissioner of education rules on administrative staffing levels in public schools;
- methods to lessen administrative burdens in public schools to focus more resources on supporting teachers;
- the impact of state and federal law relating to student discipline on teacher job satisfaction and effectiveness; and
- the impact of compliance with federal education law on teacher job satisfaction and retention, including the impact on teachers, public school students, and public primary and secondary education programs in Texas if the state were to decline federal education funding.

The bill authorizes the commission to establish one or more working groups composed of not more than five members of the commission to study, discuss, and address specific policy issues and recommendations to refer to the commission for consideration.

C.S.H.B. 2243 authorizes the commission to hold public meetings as needed to fulfill its duties. The bill establishes that the commission is a governmental body for the purposes of state public information law but exempts commission meetings from state open meetings law. The bill requires the commission, not later than December 31, 2026, to prepare and deliver a report to the governor and the legislature that recommends statutory changes to improve teacher job satisfaction and retention. The commission is abolished and the bill's provisions expire September 1, 2027.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2243 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute increases the number of commission members appointed by the governor from one, as in the introduced, to five. The substitute includes a requirement absent from the introduced that at least three of the members appointed by the governor be current or former classroom teachers with at least 10 years of teaching experience. With respect to the requirement for the governor to designate the presiding officer of the commission, the substitute specifies that the designated person must be a member of the commission.

The substitute does not include the provision of the introduced delegating to TEA all authority and purchasing functions relating to the purchase of those goods or services without complying with standard procurement law, rules, regulations, and procedures.

The substitute revises the provision of the introduced exempting TEA's procurement of goods and services from purchasing requirements, including without limitation those set forth in Government Code provisions relating to professional and consulting services, the comptroller of public accounts' purchasing system, competitive bidding requirements, and the use of the best value standard, as follows:

- removes the requisite condition that the contract is funded through appropriations described by the bill and TEA has selected the contractor in accordance with a certain provision; and
- replaces the provisions from which the contract is exempt the competitive bidding contract procedures established by Government Code provisions relating to state purchasing and the requirements of the Professional Services Procurement Act.

While the introduced and substitute both condition the award of a contract on approval by a majority vote of the commission's members, the substitute omits the express requirement from the introduced for the members to vote on the selected contractor and final contract.

With respect to the requirement for the commission to develop recommendations that improve student outcomes by addressing the impact of state and federal education law regarding discipline on teacher job satisfaction and effectiveness, the substitute specifies that the requirement applies to state and federal law relating to student discipline on teacher job satisfaction and effectiveness.