BACKGROUND AND PURPOSE

According to interested parties, studies indicate that students are more successful when core instruction is provided by an experienced teacher teaching in his or her area of certification. C.S.H.B. 972 seeks to ensure that elementary school students in certain districts are provided such teachers by prohibiting the assignment of applicable students in first through sixth grade to certain inexperienced teachers for two consecutive years.

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 rulemaking authority is expressly granted to the commissioner of education in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 972 amends the Education Code to prohibit a student in first through sixth grade who attends an elementary school in a public school district with an enrollment of 5,000 or more students from being assigned for two consecutive school years to a teacher who has less than one year of teaching experience and who does not hold the appropriate teaching certificate. The bill establishes that this prohibition does not apply if the teacher to whom the student is assigned is teaching a subject other than a subject included in the foundation curriculum or if the student's parent or other person standing in parental relation to the student and a school counselor or school administrator agree otherwise regarding assignment of the student to the teacher. The prohibition also does not apply to the first year a student transfers into a school district. The bill includes its provisions relating to the assignment of students to teachers among the statutory provisions from which a school campus or district may not receive an exemption or waiver from the commissioner of education, except that the commissioner may grant a waiver from the bill's provisions to a district if the commissioner finds that extreme circumstances in the district warrant the waiver. The bill authorizes the commissioner to adopt rules as necessary to implement the bill's provisions relating to the assignment of students to teachers. The bill applies beginning with the 2017-2018 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 972 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences

between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 7.056(e), Education Code, is amended.	SECTION 1. Same as introduced version.
SECTION 2. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.0215 to read as follows: Sec. 28.0215. REQUIREMENTS FOR ASSIGNMENT OF STUDENTS TO TEACHERS. (a) This section applies only to a school district with an enrollment of 5,000 or more students. (b) A student in first through sixth grade who attends an elementary school may not be assigned for two consecutive school years to a teacher who: (1) has less than one year of teaching experience; or (2) does not hold the appropriate certificate required under Section 21.003. (c) The requirement imposed by Subsection (b) does not apply if: (1) the teacher to whom the student is assigned is teaching a subject other than a subject included in the foundation curriculum under Section 28.002(a)(1); or (2) the student's parent or other person standing in parental relation to the student and a school counselor or school administrator agree otherwise regarding assignment of the student to the teacher. (d) Subsection (b) does not apply to the first year a student transfers into a school district. (e) The commissioner may grant a waiver from the requirements of this section to a school district if the commissioner finds that extreme circumstances in the district warrant the waiver. The commissioner may adopt rules as necessary to implement this section.	SECTION 2. Subchapter B, Chapter 28, Education Code, is amended by adding Section 28.0215 to read as follows: Sec. 28.0215. REQUIREMENTS FOR ASSIGNMENT OF STUDENTS TO TEACHERS. (a) This section applies only to a school district with an enrollment of 5,000 or more students. (b) A student in first through sixth grade who attends an elementary school may not be assigned for two consecutive school years to a teacher who: (1) has less than one year of teaching experience; and (2) does not hold the appropriate certificate required under Section 21.003. (c) The requirement imposed by Subsection (b) does not apply if: (1) the teacher to whom the student is assigned is teaching a subject other than a subject included in the foundation curriculum under Section 28.002(a)(1); or (2) the student's parent or other person standing in parental relation to the student and a school counselor or school administrator agree otherwise regarding assignment of the student to the teacher. (d) Subsection (b) does not apply to the first year a student transfers into a school district. (e) The commissioner may grant a waiver from the requirements of this section to a school district if the commissioner finds that extreme circumstances in the district warrant the waiver. The commissioner may adopt rules as necessary to implement this section.
SECTION 3. This Act applies beginning with the 2017-2018 school year.	SECTION 3. Same as introduced version.
SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.	SECTION 4. Same as introduced version.