

SUBJECT: Prohibiting disciplining teachers on the basis of disciplinary referrals

COMMITTEE: Public Education — favorable, without amendment

VOTE: 9 ayes — Huberty, Bernal, Allen, Allison, Ashby, K. Bell, K. King, Meyer, VanDeaver

1 nay — Talarico

2 absent — Dutton, Sanford

1 present not voting — M. González

SENATE VOTE: On final passage, April 11 — 31-0

WITNESSES: For — Paige Williams, Texas Classroom Teachers Association; (*Registered, but did not testify:* Andrea Chevalier, Association of Texas Professional Educators; Dwight Harris, Texas American Federation of Teachers; Lisa Dawn-Fisher, Texas State Teachers Association)

Against — (*Registered, but did not testify:* Chris Masey, Coalition of Texans with Disabilities; Steven Aleman, Disability Rights Texas)

On — (*Registered, but did not testify:* Eric Marin, Texas Education Agency)

BACKGROUND: Education Code sec. 21.352 requires school districts to evaluate teachers' implementation of discipline management procedures in the appraisal of performance.

Sec. 37.002 authorizes a teacher to send a student to the campus behavior coordinator's office to maintain effective discipline in the classroom. This practice is referred to as a "disciplinary referral."

DIGEST: SB 1451 would authorize a teacher to document any conduct by a student that did not conform to the student code of conduct and to submit that

documentation to the principal. Public school districts could not discipline a teacher for such documentation.

In adopting criteria for the appraisal of teachers, the commissioner of the Texas Education Agency would have to ensure that a school district could not mark a teacher as deficient in an appraisal solely on the basis of disciplinary referrals made by the teacher or documents submitted by the teacher regarding student conduct.

SB 1451 would not prohibit a teacher from being marked deficient based on documented evidence of a deficiency of classroom management obtained through observation or a substantiated report.

The bill would apply beginning with the 2019-2020 school year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019.

**SUPPORTERS
SAY:**

SB 1451 would enable teachers to maintain a safe, orderly learning environment without fear of being negatively appraised for implementing discipline. Administrative support for the removal of disruptive or abusive students would help teachers feel supported and could lead to increased retention.

The bill would not take away the appraisal of discipline procedures and still would allow for a teacher to receive a negative evaluation or appraisal if the teacher was shown to engage in improper classroom management.

**OPPONENTS
SAY:**

SB 1451 could prevent teachers from being held accountable for their disciplinary practices. Teachers who use disciplinary referrals excessively should be properly evaluated.