

BILL ANALYSIS

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S.B. 2200
By: Lucio
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texasans expect their public schools to provide a high-quality learning environment for all Texas children. Unfortunately, the people with the most direct impact on our children's education, teachers, have not been systematically supported at the district level in their efforts to develop their skills and raise the educational bar in their classrooms. Teachers have access to a variety of development opportunities, but their schools may or may not have structural pathways for career advancement or increased compensation to recognize initiative and excellence. Currently, "years of experience" is the only legislative determinant of salary increases for Texas' teachers. While this encourages long-term commitment to the profession, it does little to reward the efforts of new teachers to innovate in their classrooms, or of seasoned teachers to mentor their less-experienced colleagues.

S.B. 2200 establishes a grant program that will incentivize school districts to take a more active role in increasing teacher quality. It will encourage districts to adopt a plan to support teacher initiative and encourage active professional development. The program will use available Texas Education Agency (TEA) funds to support implementation, with preference given to high-need campuses. The bill gives districts a set of guidelines, which are general enough to allow them to tailor their plan to the unique needs of their teachers and the students they serve. S.B. 2200 also directs the commissioner of education to expand the criteria used in the teacher appraisal process to include the kind of development efforts that would result from the implementation of a teacher quality plan, such as mentoring duties and additional certifications. This will ensure that teachers who take advantage of the opportunities created by their district's teacher quality plan will see meaningful career advancement and increased compensation for their efforts to better serve Texas schoolchildren.

As proposed, S.B. 2200 amends current law relating to improving the quality of teachers employed by a school district, teacher performance appraisals, and the hiring of mentor teachers.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 21.009, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 21, Education Code, by adding Sections 21.008 and 21.009, as follows:

Sec. 21.008. TEACHER QUALITY PLAN. (a) Authorizes each school district to adopt a plan to increase teacher quality in the district as provided by this section. Requires the plan to address the district's efforts to improve teacher quality and performance, including teacher performance appraisals, professional development opportunities, peer mentoring opportunities, career advancement opportunities, and decisions relating to compensation.

(b) Requires a plan adopted under this section to require a teacher's appraisal and performance to be a substantial factor in decisions regarding the professional development and peer mentoring opportunities available to the teacher, the teacher's career advancement, and the teacher's compensation.

(c) Requires a school district, in determining the career advancement and compensation of a teacher, to consider the number of years of teaching experience, the applicable minimum monthly salary for the teacher under Section 21.402 (Minimum Salary Schedule For Certain Professional Staff), the district's teacher quality plan, the appraisal criteria adopted by the district, and the most recent appraisal of the teacher.

(d) Requires a school district to review the district's teacher quality plan adopted under this section at least once every five years, and to revise the plan as necessary.

(e) Requires the district, if a district adopts a teacher quality plan under this section, to submit a report detailing the plan to the commissioner of education (commissioner), not later than September 1 of each year. Requires the commissioner to make each report submitted under this subsection available to the public on the agency's Internet website.

Sec. 21.009. TEACHER QUALITY GRANT PROGRAM. (a) Requires the commissioner to establish a grant program to assist school districts that have adopted a teacher quality plan under Section 21.008. Requires the program to assist districts in recruiting high-quality teachers, hiring peer mentors under Section 21.548 (a-1), defraying teacher costs associated with obtaining relevant certification or training, and implementing programs to improve the quality of teachers in the district.

(b) Requires the commissioner, from available agency funds and any additional funds appropriated for this purpose, to make grants as provided by this section. Requires the commissioner, in making grants to school districts, to give preference to districts proposing to use the funds at high-need campuses.

(c) Authorizes a school district to apply to the commissioner for a grant under this section. Authorizes the commissioner to approve the application only if the district applies within the period and in the manner required by rule adopted by the commissioner and agrees to use each grant only for a purpose described under Subsection (a).

(d) Provides that a grant a school district receives under this section is in addition to any funding the district receives under Chapter 42 (Foundation School Program). Provides that a district to which Chapter 41 (Equalized Wealth Level) applies is entitled to a grant under this section. Requires the commissioner to distribute funds under this section as soon as practicable after the grant is approved, in a manner determined by the commissioner.

(e) Provides that this section does not create a property right to a grant. Provides that a school district is entitled to a grant to carry out the purposes of this section only to the extent the commissioner makes the grant in accordance with this section and only to the extent sufficient state funds are available for those purposes.

(f) Provides that a decision of the commissioner concerning the amount of money to which a school district is entitled under this section is final and may not be appealed. Requires each district, in the manner and at the time prescribed by the commissioner, to provide to the commissioner proof acceptable to the commissioner of the teacher quality plan for which a grant awarded under this section is being used.

(g) Authorizes the commissioner to audit the expenditure of money appropriated for purposes of this section. Requires a district's use of the money appropriated for purposes of this section to be verified as part of the district audit under Section 44.008 (Annual Audit; Report).

(h) Provides that any money received by a teacher as a result of a grant awarded under this section is not considered in determining whether the district is paying the teacher the minimum monthly salary under Section 21.402 (Minimum Salary Schedule For Certain Professional Staff).

(i) Authorizes the commissioner to adopt rules for the distribution of grants to school districts under this section and any other rules as necessary to implement this section.

SECTION 2. Amends Section 21.351(a), Education Code, as follows:

(a) Requires the commissioner to adopt a recommended appraisal process and criteria on which to appraise the performance of teachers. Requires the criteria to be based on measures of a teacher's performance and observable, job-related behavior, including teachers' implementation of discipline management procedures, the academic performance of teachers' students, classroom observations of the teacher, and data related to the teacher's professional efforts and accomplishments, including the number of certifications issued to the teacher by certain entities, the number of continuing education courses and programs completed by the teacher, mentoring duties performed by the teacher, and any other objectively measurable efforts related to professional engagement and growth made by the teacher.

SECTION 3. Amends Section 21.352, Education Code, by amending Subsections (a) and (c) and adding Subsection (g), as follows:

(a) Requires each school district, in appraising teachers, to use the appraisal process and performance criteria developed by the commissioner under Section 21.351(a), conformed to the district's teacher quality plan if adopted by the district, or a certain appraisal process and performance criteria.

(c) Requires an appraisal to be done at least once during each school year. Requires the district to maintain a copy, rather than written copy, of the evaluation of each teacher's performance in the teacher's personnel file. Provides that each teacher is entitled to receive a written or electronic copy of the evaluation promptly on its completion. Provides that after receiving a copy, rather than written copy, of the evaluation, a teacher is entitled to a second appraisal by a different appraiser or to submit a written rebuttal to the evaluation to be attached to the evaluation in the teacher's personnel file. Authorizes the evaluation and any rebuttal to be given to another school district at which the teacher has applied for employment at the request of that district. Deletes existing text authorizing a teacher to be appraised less frequently if the teacher agrees in writing and the teacher's most recent evaluation rated the teacher as at least proficient, or the equivalent, and did not identify any area of deficiency. Deletes existing text requiring a teacher who is appraised less frequently than annually to be appraised at least once during each period of five school years.

(g) Requires the commissioner to develop training to assist and provide support to school administrators to successfully implement a teacher appraisal process under this section.

SECTION 4. Amends Section 21.458, Education Code, by adding Subsection (a-1), to authorize a school district to contract with a retired classroom teacher or a retired education professional to provide mentoring to teachers in the district under this section. Requires a mentor teacher hired under this subsection to meet certain criteria.

SECTION 5. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 6. Effective date: upon passage or September 1, 2017.