

BILL ANALYSIS

Senate Research Center

S.B. 1356
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The coronavirus pandemic has slowed the academic progress of Texas schoolchildren, and the state will need all available resources to help these students make up lost ground. S.B. 1356 would draw on the membership of active and retired teacher associations to meet tutoring needs and use the Texas Education Agency (TEA) to facilitate this activity.

Under the bill, the commissioner of education will receive applications from nonprofit teacher organizations for these organizations to facilitate tutoring by their membership of public school students grades K-12. Each participating association will inform their members of this tutoring program on a quarterly basis and provide contact information for their members to inquire with TEA and the school district within which the member lives and adjacent school districts.

Interested teachers may tutor on a for-hire or voluntary basis, in person or online. Tutors will need current background checks. Rehire penalties will not count against tutors who are retired teachers. Tutors may be paid from any available state or federal funds.

Each public school will establish a point of contact to oversee the district's participation in this tutoring program. If active or retired certified teachers contact the district to offer tutoring services, the district shall utilize these teachers on campus or online and facilitate scheduling of tutoring sessions. Public schools will work with participating teacher associations to schedule tutoring sessions in subject matters or on topics for which there is not adequate tutoring within the school's district.

As proposed, S.B. 1356 amends current law relating to a program to facilitate public school tutoring by certain teachers.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 4 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 21, Education Code, by adding Subchapter N, as follows:

SUBCHAPTER N. TUTORING BY CERTAIN TEACHERS

Sec. 21.651. NONPROFIT TEACHER ORGANIZATIONS. (a) Authorizes a nonprofit teacher organization, subject to Subsection (b), to participate in a program, to be overseen by the Texas Education Agency (TEA), that facilitates the tutoring of public school students in kindergarten through grade 12 by active or retired certified teachers who are members of the organization.

(b) Requires an organization, to qualify to participate in the program, to submit an application for approval by the commissioner of education (commissioner).

Sec. 21.652. FACILITATING TEACHER PARTICIPATION. (a) Requires each participating nonprofit teacher organization to inform its members of the tutoring program quarterly.

(b) Requires a participating organization to provide contact information to each member for the member to use to inquire with TEA about offering tutoring. Requires the organization to also provide information to the member to contact the school district within which the member resides and adjacent school districts.

Sec. 21.653. TEACHER CLEARINGHOUSE. (a) Requires TEA to maintain a clearinghouse of active and retired certified teachers who are eligible to provide tutoring.

(b) Requires teachers who offer to tutor and are not in the clearinghouse to pass a background check to enter the clearinghouse.

Sec. 21.654. COMPENSATION. (a) Authorizes a teacher providing tutoring services under the program to elect to provide those services for compensation, on a voluntary basis, or for both compensation and on a voluntary basis.

(b) Authorizes compensation to be provided from any available state or federal funds.

Sec. 21.655. DISTRICT PARTICIPATION. (a) Requires each public school campus to establish a point of contact to facilitate participation in the program by its school district.

(b) Requires the district, if an active or retired certified teacher contacts the school district to offer tutoring services and is eligible under the clearinghouse, to use the teacher for tutoring on campus or online and to facilitate the scheduling of tutoring services.

(c) Authorizes a teacher to indicate the teacher's preference for conducting tutoring sessions on campus or online.

(d) Requires public school campuses to work with participating teacher organizations to schedule tutoring sessions in subjects for which their school districts do not have adequate tutoring resources.

SECTION 2. Amends Subchapter A, Chapter 821, Government Code, by adding Section 821.011, as follows:

Sec. 821.011. NOTICE OF THE TEACHER TUTORING PROGRAM. Requires the Teacher Retirement System of Texas to provide each member information quarterly about the teacher tutoring program established under Subchapter N, Chapter 21 (Educators), Education Code, and the contact information for the member to inquire about the program with TEA, the school district in which the member resides, and adjacent school districts.

SECTION 3. Amends Section 824.602, Government Code, by adding Subsection (c), as follows:

(c) Prohibits a retiree serving as a tutor under the teacher tutoring program established under Subchapter N, Chapter 21, Education Code, for purposes of Section 824.601 (Loss of Monthly Benefits), from being considered to be employed in a Texas public educational institution.

SECTION 4. Authorizes the commissioner to adopt rules as necessary to implement Subchapter N, Chapter 21, Education Code, as added by this Act.

SECTION 5. Effective date: September 1, 2021.