

## **BILL ANALYSIS**

H.B. 1373  
By: Giddings  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Research has proven that teacher effectiveness, like that of many professions, improves with experience. Interested parties cite the Texas Education Agency in noting that approximately one-quarter of the over 300,000 full-time equivalent teachers in Texas are teaching outside their fields of certification. The parties suggest that students who are assigned to these teachers for an extended period of time are being disadvantaged. H.B. 1373 seeks to address this problem and ensure that elementary school children are being taught by a qualified and experienced teacher during the most vulnerable and impressionable phase in their educational careers.

### **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**

H.B. 1373 amends the Education Code to prohibit a student in first through grade six who attends an elementary school in a 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 or does not hold the appropriate teaching certificate. The bill establishes that the prohibition does not apply 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 a teacher, nor does the prohibition apply to the first year a student transfers into a school district or to teachers teaching outside of the foundation curriculum. The bill authorizes the commissioner of education to grant a waiver from the prohibition to a school district if the commissioner finds that extreme circumstances in the district warrant the waiver and to adopt rules as necessary to implement these provisions.

H.B. 1373 prohibits a school campus or district from receiving an exemption or waiver from a requirement, restriction, or prohibition relating to assignment of a student to a teacher as set out by the bill, except as otherwise provided. The bill's provisions apply beginning with the 2015–2016 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.