

SUBJECT: Staff development requirements in public schools

COMMITTEE: Public Education — favorable, without amendment

VOTE: 8 ayes — Eissler, Hochberg, Allen, Aycock, Farias, Jackson, Olivo, Weber
0 nays
3 absent — Dutton, Patrick, Shelton

SENATE VOTE: On final passage, March 31 — 31-0

WITNESSES: For — Jeff Miller, Advocacy Incorporated; Rona Statman, The Arc of Texas (*Registered, but did not testify*: Portia Bosse, Texas State Teachers Association; Bill Carpenter, Texas Council of Administrators of Special Education; Rose Cruz; Monty Exter, Association of Texas Professional Educators; Lindsay Gustafson, TCTA; Jackie Lain, Texas Association of School Boards; Ted Melina Raab, Texas AFT; Jodie Smith, Texans Care for Children)

Against — None

BACKGROUND: Education Code, sec. 21.451 requires staff development provided by a school district to be conducted in accordance with standards developed by the district, designed to improve education, and predominately campus-based to achieve campus performance objectives. The staff development may include training related to several subjects, including the instruction of students with disabilities.

The federal Individuals with Disabilities Education Act (IDEA) requires school districts to ensure that teachers receive staff development and training on scientific research-based practices and requires students with disabilities to be educated in the least restrictive environment possible.

A student's admission review and dismissal committee (ARD) determines the type of skills and training that is required by a teacher to implement a student's individualized education plan.

DIGEST: SB 451 would require that staff development include, based on scientifically based research, training that related to instruction of students with disabilities. A school district would have to provide this training to a teacher who worked outside of special education only if the teacher did not possess the knowledge and skills necessary to implement the individualized education program developed for a student receiving instruction from the teacher.

A district would determine the time and place at which the training would be delivered. A school district would have to consult with persons with expertise in research-based practices for students with disabilities, which could include colleges, universities, private and nonprofit organizations, regional education service centers, or qualified district personnel.

The bill also would require that any training regarding prayer in school include guidance from the U.S. Department of Education.

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, 2009. It would apply beginning in the 2009-2010 school year.

SUPPORTERS SAY: SB 451 would increase the quality of instruction afforded to teachers while maintaining maximum local control. The bill is necessary because schools rarely choose to use their staff development days to provide training to general education teachers regarding special education students.

In 2003, the Legislature repealed mandatory staff development training in public schools and made it permissive, so districts no longer have to provide staff development to teachers who interact with students with disabilities but who work primarily outside the area of special education. The foremost concern of families of students with disabilities and the professionals who work with them is the quality of teacher preparation. There are relatively few consistent training opportunities for teachers who work with students with disabilities.

The bill's requirement that training be based on scientific research would improve the quality of education that teachers provide to students with disabilities. The skills that teachers would learn would help all students. The bill would allow school districts flexibility in the implementation of staff development training concerning students with disabilities. The

district would determine the time, place, and frequency of instruction. The bill would not increase the number of mandated staff development days.

OPPONENTS
SAY:

By adding mandatory requirements to staff development training concerning students with disabilities, SB 451 would be an unfunded mandate on school districts, and small and rural districts could have difficulty complying. The requirements of SB 451 would require additional training that could take teachers out of the classroom.

This bill would allow for arbitrary and subjective decision-making. Clear, objective, and measurable criteria should be established to determine whether a teacher possessed the knowledge and skills necessary to implement a student's individualized education plan.

NOTES:

During the 2007 regular session, the Senate passed a similar bill, SB 603 by Van de Putte, which was reported favorably by the House Public Education Committee, but died on the General State Calendar.