

SUBJECT: Limiting time students are assigned to new or uncertified teachers

COMMITTEE: Public Education — committee substitute recommended

VOTE: 11 ayes — Huberty, Bernal, Allen, Bohac, Deshotel, Dutton, Gooden, K. King, Koop, Meyer, VanDeaver

WITNESSES: For — Celina Moreno, Mexican American Legal Defense and Education Fund; Ted Melina Raab, Texas AFT (American Federation of Teachers); Jesse Romero, Texas Association For Bilingual Education; (*Registered, but did not testify:* Shannon Meroney, ACT-Dallas; Mark Wiggins, Association of Texas Professional Educators; Lindsay Gustafson, Texas Classroom Teachers Association; Yannis Banks, Texas NAACP; Ellen Arnold, Texas PTA; Portia Bosse, Texas State Teachers Association)

Against — (*Registered, but did not testify:* Mark Terry, Texas Elementary Principals and Supervisors Association)

On — (*Registered, but did not testify:* Kara Belew and Ryan Franklin, Texas Education Agency)

BACKGROUND: Education Code, sec. 21.003 establishes that a person may not be employed as a teacher by a school district unless the person holds the appropriate certificate issued by the State Board for Educator Certification. School districts can apply to the Commissioner of Education for a waiver from this requirement or apply to the commissioner to issue an emergency permit for a teacher to teach a course outside the teacher's area of certification for one year while proper certification is obtained. Some suggest that student achievement is best served by being taught by experienced teachers in their areas of certification.

DIGEST: CSHB 972 would prohibit a public school student in the first through sixth grade from being assigned for two consecutive years to a teacher who had less than one year of teaching experience and did not hold the appropriate teaching certificate. This requirement would apply only to school districts with an enrollment of 5,000 or more students and would not apply to the

first year a student transferred into the school district.

This requirement would not apply if:

- the teacher to whom the student was assigned was teaching a subject not included in the foundation curriculum, consisting of English, math, science, and social studies; or
- the student's parent or legal guardian and a school counselor or school administrator agreed otherwise regarding the assignment of the student to the teacher.

The Commissioner of Education could grant a waiver from these requirements if the commissioner found that extreme circumstances in the district warranted the waiver. The commissioner could adopt rules necessary to implement the waiver.

The bill would apply beginning with the 2017-2018 school year.

This 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, 2017.