

SUBJECT: Preventing students from having an uncertified teacher two years in a row

COMMITTEE: Public Education — committee substitute recommended

VOTE: 11 ayes — Huberty, Bernal, Allison, Ashby, K. Bell, Dutton, M.  
González, K. King, Meyer, Talarico, VanDeaver

1 nay — Sanford

1 absent — Allen

WITNESSES: For — Patty Quinzi, Texas American Federation of Teachers; (*Registered, but did not testify*: Andrea Chevalier, Association of Texas Professional Educators; Jo DePrang, Children's Defense Fund-Texas; Chris Masey, Coalition of Texans with Disabilities; Dylan Cromley, League of Women Voters of Texas; Paige Williams, Texas Classroom Teachers Association; Lisa Dawn-Fisher, Texas State Teachers Association; Darren Grissom, Texas PTA; Priscilla Aquino Garza)

Against — (*Registered, but did not testify*: Barry Haenisch, Texas Association of Community Schools; Casey McCreary, Texas Association of School Administrators; Dax Gonzalez, Texas Association of School Boards; Harley Eckhart, Texas Elementary Principals and Supervisors Association; Dee Carney, Texas School Alliance)

On — (*Registered, but did not testify*: Von Byer, Marilyn Cook, and AJ Crabill, Texas Education Agency)

DIGEST: CSHB 1276 would prohibit a school district with more than 5,000 students from assigning a student in the first through sixth grade who attended an elementary school to an uncertified teacher for two consecutive years.

The prohibition would apply only to teachers who had less than one year of teaching experience and were teaching a foundation curriculum subject for which they were not certified. It would not apply to teachers teaching a

subject in the enrichment curriculum.

It would be an exception to this prohibition if the student's parent or another person standing in parental relation to the student and a school counselor or administrator agreed regarding the assignment of the student to the teacher or if the assignment of the student to the teacher occurred during the first year a student transferred into a school district.

The education commissioner could grant a waiver from the requirements of the bill to a school district if the commissioner found that extreme circumstances in the district warranted the waiver.

CSHB 1276 would take effect beginning with the 2019-2020 school year.

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, 2019.

**SUPPORTERS  
SAY:**

CSHB 1276 would protect public school students from being taught for two straight years by an inexperienced and uncertified teacher, which can result in a long-term negative impact on students' learning. The bill also would encourage uncertified teachers to acquire certification and incentivize school districts to hire teachers with appropriate certification.

The bill would not negatively affect teacher recruitment because a teacher could still start a career without certification. It also would not unnecessarily burden school districts because it allows for students to be taught by uncertified teachers for more than one year in a row under certain circumstances.

**OPPONENTS  
SAY:**

CSHB 1276 would impose another restriction on school districts already burdened by too many compliance requirements, and could make it more difficult for districts to recruit teachers.