

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

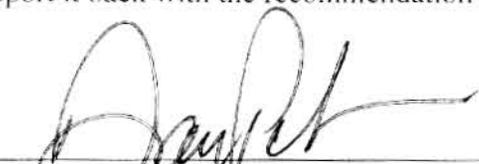
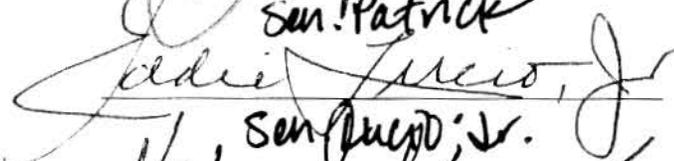
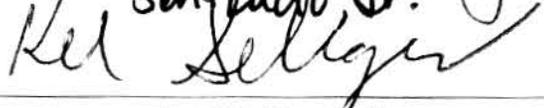
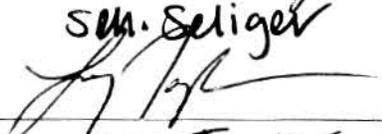
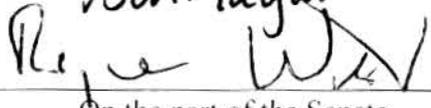
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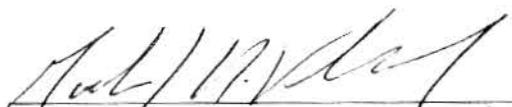
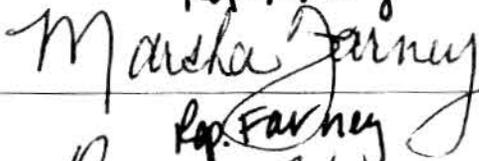
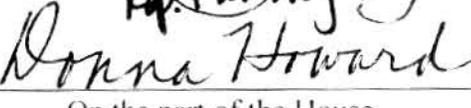
Honorable David Dewhurst  
President of the Senate

Honorable Joe Straus  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 2012 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

  
Sen. Patrick  
  
Sen. Lucio, Jr.  
  
Sen. Seliger  
  
Sen. Taylor  
  
Sen. West  
On the part of the Senate

  
Rep. Villarreal  
  
Rep. Alcorn  
  
Rep. King  
  
Rep. Farney  
  
Rep. Howard  
On the part of the House

### Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H.B. No. 2012

A BILL TO BE ENTITLED

AN ACT

relating to public school educators and certain other professional employees of school districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 7, Education Code, is amended by adding Section 7.038 to read as follows:

Sec. 7.038. PROFESSIONAL EMPLOYEE SALARY INFORMATION. (a)

The agency shall collect information from school districts regarding salaries paid to employees entitled to the minimum monthly salary under Section 21.402.

(b) The agency shall provide for public use of the information collected under Subsection (a) in summary form on the agency's Internet website in a manner that indicates, by school district, the average salaries of employees to whom Subsection (a) applies by position and for classroom teachers, also by subject and grade level.

(c) The agency shall use the data collected under Subsection (a) regarding salaries paid to classroom teachers to conduct a cost-of-living salary comparability analysis in each region of the state to determine how classroom teacher salaries compare to salaries in similar professions. The commissioner shall delineate the geographic boundaries of the regions of the state and designate the professions that constitute similar professions for purposes of conducting the salary comparability analysis under this

1 subsection. Not later than December 1, 2014, the agency shall  
2 prepare and deliver a report of the salary comparability analysis  
3 conducted under this subsection to the governor, lieutenant  
4 governor, speaker of the house of representatives, and presiding  
5 officer of each standing legislative committee with primary  
6 jurisdiction over public education. The agency shall post a copy of  
7 the report on the agency's Internet website.

8 (d) The agency shall collect data and conduct the  
9 cost-of-living salary comparability analysis under this section  
10 using only available funds and resources from public or private  
11 sources.

12 (e) This section expires September 1, 2015.

13 SECTION 2. Subchapter C, Chapter 7, Education Code, is  
14 amended by adding Section 7.064 to read as follows:

15 Sec. 7.064. TEACHING AND LEARNING CONDITIONS SURVEY. (a)  
16 The commissioner shall develop an online survey to be administered  
17 statewide at least biennially to superintendents, principals,  
18 supervisors, classroom teachers, counselors, and other appropriate  
19 full-time professional employees who are required to hold a  
20 certificate issued under Subchapter B, Chapter 21.

21 (b) In developing the survey under this section, the  
22 commissioner shall ensure that the survey is designed to elicit  
23 information relating to the following issues:

24 (1) teaching and learning conditions as predictors of  
25 student achievement and growth;

26 (2) the relationship between teaching and learning  
27 conditions and teacher retention;

1           (3) the influence of school leadership on teaching and  
2 learning conditions, including:

3                   (A) meaningful involvement of teachers in  
4 determining professional development needs;

5                   (B) meaningful involvement of teachers in campus  
6 decisions and initiatives;

7                   (C) support for teachers in student disciplinary  
8 matters; and

9                   (D) limiting required meetings for and  
10 noninstructional duties of teachers;

11           (4) the relationship between teaching and learning  
12 conditions and student attendance and graduation;

13           (5) the appropriate time during the day for  
14 collaborative instructional planning;

15           (6) facilities resources needs; and

16           (7) other supports needed for educators to be  
17 successful in the classroom.

18           (c) The commissioner shall contract with a third-party  
19 entity with appropriate research and evaluation expertise to  
20 administer the survey required by this section. The third-party  
21 survey administrator shall collect responses and protect the  
22 identity of the respondents. The third-party survey administrator  
23 shall provide the survey responses to the commissioner or a person  
24 designated by the commissioner not later than the 60th day after the  
25 date the survey is administered.

26           (d) After the administration of each survey, the  
27 commissioner shall:

1           (1) make the survey results available to the public;  
2 and  
3           (2) provide the survey results to school districts and  
4 campuses.

5           (e) Each school district and campus shall use the survey  
6 results:

7           (1) to review and revise, as appropriate,  
8 district-level or campus-level improvement plans in the manner  
9 provided under Subchapter F, Chapter 11; and

10           (2) for other purposes, as appropriate to enhance the  
11 district and campus learning environment.

12           (f) The commissioner shall use the survey results to  
13 develop, review, and revise:

- 14           (1) agency professional development offerings;  
15           (2) agency initiatives aimed at teacher retention; and  
16           (3) standards for principals and superintendents.

17           (g) The commissioner shall carry out duties under this  
18 section, including contracting for the administration of the  
19 survey, using only available funds and resources from public and  
20 private sources.

21           SECTION 3. Section 21.044, Education Code, as amended by  
22 Chapters 635 (S.B. 866) and 926 (S.B. 1620), Acts of the 82nd  
23 Legislature, Regular Session, 2011, is reenacted and amended to  
24 read as follows:

25           Sec. 21.044. EDUCATOR PREPARATION. (a) The board shall  
26 propose rules establishing the training requirements a person must  
27 accomplish to obtain a certificate, enter an internship, or enter

1 an induction-year program. The board shall specify the minimum  
2 academic qualifications required for a certificate.

3 (b) Any minimum academic qualifications for a certificate  
4 specified under Subsection (a) that require a person to possess a  
5 bachelor's degree must also require that the person receive, as  
6 part of the curriculum for that degree, instruction in detection  
7 and education of students with dyslexia. This subsection does not  
8 apply to a person who obtains a certificate through an alternative  
9 certification program adopted under Section 21.049.

10 (c) The instruction under Subsection (b) must:

11 (1) be developed by a panel of experts in the diagnosis  
12 and treatment of dyslexia who are:

13 (A) employed by institutions of higher  
14 education; and

15 (B) approved by the board; and

16 (2) include information on:

17 (A) characteristics of dyslexia;

18 (B) identification of dyslexia; and

19 (C) effective, multisensory strategies for  
20 teaching students with dyslexia.

21 (d) [~~(b)~~] In proposing rules under this section, the board  
22 shall specify that to obtain a certificate to teach an "applied STEM  
23 course," as that term is defined by Section 28.027, at a secondary  
24 school, a person must:

25 (1) pass the certification test administered by the  
26 recognized national or international business and industry group  
27 that created the curriculum the applied STEM course is based on; and

1 (2) have at a minimum:

2 (A) an associate degree from an accredited  
3 institution of higher education; and

4 (B) three years of work experience in an  
5 occupation for which the applied STEM course is intended to prepare  
6 the student.

7 (e) Each educator preparation program must provide  
8 information regarding:

9 (1) the skills that educators are required to possess,  
10 the responsibilities that educators are required to accept, and the  
11 high expectations for students in this state;

12 (2) the effect of supply and demand forces on the  
13 educator workforce in this state;

14 (3) the performance over time of the educator  
15 preparation program;

16 (4) the importance of building strong classroom  
17 management skills; and

18 (5) the framework in this state for teacher and  
19 principal evaluation, including the procedures followed in  
20 accordance with Subchapter H.

21 SECTION 4. Subchapter B, Chapter 21, Education Code, is  
22 amended by adding Section 21.0441 to read as follows:

23 Sec. 21.0441. ADMISSION REQUIREMENTS FOR EDUCATOR  
24 PREPARATION PROGRAMS. (a) Rules of the board proposed under this  
25 subchapter must provide that a person, other than a person seeking  
26 career and technology education certification, is not eligible for  
27 admission to an educator preparation program, including an

1 alternative educator preparation program, unless the person:

2 (1) except as provided by Subsection (b), satisfies  
3 minimum grade point average requirements prescribed by the board,  
4 not to exceed the following:

5 (A) an overall grade point average of at least  
6 2.75 on a four-point scale or the equivalent on any course work  
7 previously attempted at a public or private institution of higher  
8 education; or

9 (B) a grade point average of at least 2.75 on a  
10 four-point scale or the equivalent for the last 60 semester credit  
11 hours attempted at a public or private institution of higher  
12 education; and

13 (2) if the person is seeking initial certification:

14 (A) has successfully completed at least:

15 (i) 15 semester credit hours in the  
16 subject-specific content area in which the person is seeking  
17 certification, if the person is seeking certification to teach  
18 mathematics or science at or above grade level seven; or

19 (ii) 12 semester credit hours in the  
20 subject-specific content area in which the person is seeking  
21 certification, if the person is not seeking certification to teach  
22 mathematics or science at or above grade level seven; or

23 (B) has achieved a satisfactory level of  
24 performance on a content certification examination, which may be a  
25 content certification examination administered by a vendor  
26 approved by the commissioner for purposes of administering such an  
27 examination for the year for which the person is applying for

1 admission to the program.

2 (b) The board's rules must permit an educator preparation  
3 program to admit in extraordinary circumstances a person who fails  
4 to satisfy a grade point average requirement prescribed by  
5 Subsection (a)(1)(A) or (B), provided that:

6 (1) not more than 10 percent of the total number of  
7 persons admitted to the program in a year fail to satisfy the  
8 requirement under Subsection (a)(1)(A) or (B); and

9 (2) for each person admitted as described by this  
10 subsection, the director of the program determines and certifies,  
11 based on documentation provided by the person, that the person's  
12 work, business, or career experience demonstrates achievement  
13 comparable to the academic achievement represented by the grade  
14 point average requirement.

15 SECTION 5. Section 21.048, Education Code, is amended by  
16 amending Subsection (a) and adding Subsection (a-1) to read as  
17 follows:

18 (a) The board shall propose rules prescribing comprehensive  
19 examinations for each class of certificate issued by the board. The  
20 board shall determine the satisfactory level of performance  
21 required for each certification examination. For the issuance of a  
22 generalist certificate, the board shall require a satisfactory  
23 level of examination performance in each core subject covered by  
24 the examination.

25 (a-1) The board may not require that more than 45 days  
26 elapse before a person may retake an examination.

27 SECTION 6. Section 21.352, Education Code, is amended by

1 amending Subsection (c) and adding Subsections (c-1), (e), and (f)  
2 to read as follows:

3 (c) Except as otherwise provided by this subsection,  
4 appraisal must be done at least once during each school year. A  
5 teacher may be appraised less frequently if the teacher agrees in  
6 writing and the teacher's most recent evaluation rated the teacher  
7 as at least proficient, or the equivalent, and did not identify any  
8 area of deficiency. A teacher who is appraised less frequently than  
9 annually must be appraised at least once during each period of five  
10 school years. The district shall maintain a written copy of the  
11 evaluation of each teacher's performance in the teacher's personnel  
12 file. Each teacher is entitled to receive a written copy of the  
13 evaluation promptly on its completion. After receiving a written  
14 copy of the evaluation, a teacher is entitled to a second appraisal  
15 by a different appraiser or to submit a written rebuttal to the  
16 evaluation to be attached to the evaluation in the teacher's  
17 personnel file. The evaluation and any rebuttal may be given to  
18 another school district at which the teacher has applied for  
19 employment at the request of that district.

20 (c-1) In addition to conducting a complete appraisal as  
21 frequently as required by Subsection (c), a school district shall  
22 require that appropriate components of the appraisal process, such  
23 as classroom observations and walk-throughs, occur more frequently  
24 as necessary to ensure that a teacher receives adequate evaluation  
25 and guidance. A school district shall give priority to conducting  
26 appropriate components more frequently for inexperienced teachers  
27 or experienced teachers with identified areas of deficiency.

1       (e) A district shall use a teacher's consecutive appraisals  
2 from more than one year, if available, in making the district's  
3 employment decisions and developing career recommendations for the  
4 teacher.

5       (f) The district shall notify a teacher of the results of  
6 any appraisal of the teacher in a timely manner so that the  
7 appraisal may be used as a developmental tool by the district and  
8 the teacher to improve the overall performance of the teacher.

9       SECTION 7. Subchapter J, Chapter 21, Education Code, is  
10 amended by adding Section 21.4513 to read as follows:

11       Sec. 21.4513. PROFESSIONAL DEVELOPMENT REQUIREMENTS AUDIT.

12 (a) Using only available funds and resources from public or  
13 private sources, the agency shall periodically conduct an audit of  
14 the professional development requirements applicable to educators  
15 in this state, including state and federal requirements and  
16 requirements imposed by school districts.

17       (b) Based on audit results, the agency shall seek to  
18 eliminate conflicting requirements and consolidate duplicative  
19 requirements through the following methods, as appropriate:

20               (1) taking administrative action;

21               (2) encouraging school districts to make appropriate  
22 changes to district policies; or

23               (3) recommending statutory changes to the  
24 legislature.

25       (b-1) The agency shall complete the initial audit required  
26 by Subsection (a) not later than August 1, 2014. This subsection  
27 expires September 1, 2014.

1        (c) The agency shall provide guidance to school districts  
2 regarding high-quality professional development and the outcomes  
3 expected to result from providing that caliber of professional  
4 development.

5        SECTION 8. Section 21.458, Education Code, is amended by  
6 amending Subsection (c) and adding Subsections (e) and (e-1) to  
7 read as follows:

8        (c) From the funds appropriated to the agency for purposes  
9 of this section, the commissioner shall adopt rules and provide  
10 funding to school districts that assign mentor teachers under this  
11 section. Funding provided to districts under this section may be  
12 used only for providing:

13                (1) mentor teacher stipends;

14                (2) scheduled release time for mentor teachers and the  
15 classroom teachers to whom they are assigned for meeting and  
16 engaging in [to provide] mentoring activities [to assigned  
17 classroom teachers]; and

18                (3) mentoring support through providers of mentor  
19 training.

20        (e) Each year the commissioner shall report to the  
21 legislature regarding the effectiveness of school district  
22 mentoring programs.

23        (e-1) Not later than November 1, 2013, the governor,  
24 lieutenant governor, and speaker of the house of representatives  
25 shall form an advisory committee to evaluate the implementation of  
26 this section and make recommendations for improvement. The  
27 committee shall develop recommended guidelines that align teacher

1 induction and mentoring activities with expectations for new  
2 teachers based on teaching practice standards. The agency shall  
3 provide administrative support for the committee. The committee  
4 shall submit a report of its recommendations to the governor and  
5 legislature not later than January 1, 2015. This subsection  
6 expires January 31, 2015.

7 SECTION 9. Not later than September 1, 2014, the Texas  
8 Education Agency, the State Board for Educator Certification, and  
9 the Texas Higher Education Coordinating Board shall jointly review  
10 existing standards for preparation and admission that are  
11 applicable to educator preparation programs, including stakeholder  
12 input in the review and development of those standards, and develop  
13 and implement modifications necessary to reflect updated standards  
14 for the teaching profession.

15 SECTION 10. To the extent of any conflict, this Act prevails  
16 over another Act of the 83rd Legislature, Regular Session, 2013,  
17 relating to nonsubstantive additions to and corrections in enacted  
18 codes.

19 SECTION 11. This Act takes effect immediately if it  
20 receives a vote of two-thirds of all the members elected to each  
21 house, as provided by Section 39, Article III, Texas Constitution.  
22 If this Act does not receive the vote necessary for immediate  
23 effect, this Act takes effect September 1, 2013.

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter B, Chapter 7, Education Code, is amended by adding Section 7.038 as follows:

Sec. 7.038. PROFESSIONAL EMPLOYEE SALARY INFORMATION.

(a) The agency shall collect information from school districts regarding salaries paid to employees entitled to the minimum monthly salary under Section 21.402.

(b) - (e)

No equivalent provision.

SENATE VERSION (IF)

SECTION 1. Same as House version except as follows:

Same as House version.

(a) The agency, *in collaboration with the Teacher Retirement System of Texas*, shall collect information from school districts regarding salaries paid to employees entitled to the minimum monthly salary under Section 21.402.  
[FA1(1)]

(b) - (e) Same as House version. [FA1(2)-(8)]

SECTION 2. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.064 to read as follows:

Sec. 7.064. TEACHING AND LEARNING CONDITIONS SURVEY. (a) The commissioner shall develop an online survey to be administered statewide at least biennially to superintendents, principals, supervisors, classroom teachers, counselors, and other appropriate full-time professional employees who are required to hold a certificate issued under Subchapter B, Chapter 21.

(b) In developing the survey under this section, the commissioner shall ensure that the survey is designed to elicit information relating to the following issues:

- (1) teaching and learning conditions as predictors of student achievement and growth;
- (2) the relationship between teaching and learning conditions and teacher retention;
- (3) the influence of school leadership on teaching and

CONFERENCE

SECTION 1. Same as House version.

Same as House version.

(a) Same as House version.

(b) - (e) Same as House version.

SECTION 2. Same as Senate version.

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

learning conditions, including:

(A) meaningful involvement of teachers in determining professional development needs;

(B) meaningful involvement of teachers in campus decisions and initiatives;

(C) support for teachers in student disciplinary matters; and

(D) limiting required meetings for and noninstructional duties of teachers;

(4) the relationship between teaching and learning conditions and student attendance and graduation;

(5) the appropriate time during the day for collaborative instructional planning;

(6) facilities resources needs; and

(7) other supports needed for educators to be successful in the classroom.

(c) The commissioner shall contract with a third-party entity with appropriate research and evaluation expertise to administer the survey required by this section. The third-party survey administrator shall collect responses and protect the identity of the respondents. The third-party survey administrator shall provide the survey responses to the commissioner or a person designated by the commissioner not later than the 60th day after the date the survey is administered.

(d) After the administration of each survey, the commissioner shall:

(1) make the survey results available to the public; and

(2) provide the survey results to school districts and campuses.

(e) Each school district and campus shall use the survey results:

(1) to review and revise, as appropriate, district-level or

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

campus-level improvement plans in the manner provided under Subchapter F, Chapter 11; and  
(2) for other purposes, as appropriate to enhance the district and campus learning environment.  
(f) The commissioner shall use the survey results to develop, review, and revise:  
(1) agency professional development offerings;  
(2) agency initiatives aimed at teacher retention; and  
(3) standards for principals and superintendents.  
(g) The commissioner shall carry out duties under this section, including contracting for the administration of the survey, using only available funds and resources from public and private sources.

No equivalent provision.

SECTION \_\_. Section 21.044, Education Code, as amended by Chapters 635 (S.B. 866) and 926 (S.B. 1620), Acts of the 82nd Legislature, Regular Session, 2011, is reenacted and amended to read as follows:  
Sec. 21.044. EDUCATOR PREPARATION. (a) The board shall propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. The board shall specify the minimum academic qualifications required for a certificate.  
(b) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the curriculum for that degree, instruction in detection and education of students with dyslexia. This subsection does not apply to a person who obtains a certificate through an educator certification program adopted under

SECTION 3. Substantially the same as Senate version.

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

Section 21.049.

(c) The instruction under Subsection (b) must:

(1) be developed by a panel of experts in the diagnosis and treatment of dyslexia who are:

(A) employed by institutions of higher education; and

(B) approved by the board; and

(2) include information on:

(A) characteristics of dyslexia;

(B) identification of dyslexia; and

(C) effective, multisensory strategies for teaching students with dyslexia.

(d) [(b)] In proposing rules under this section, the board shall specify that to obtain a certificate to teach an "applied STEM course," as that term is defined by Section 28.027, at a secondary school, a person must:

(1) pass the certification test administered by the recognized national or international business and industry group that created the curriculum the applied STEM course is based on; and

(2) have at a minimum:

(A) an associate degree from an accredited institution of higher education; and

(B) three years of work experience in an occupation for which the applied STEM course is intended to prepare the student.

(e) Each educator preparation program must provide information regarding:

(1) the skills that educators are required to possess, the responsibilities that educators are required to accept, and the high expectations for students in this state;

(2) the effect of supply and demand forces on the educator workforce in this state;

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(3) the performance over time of the educator preparation program;  
(4) the importance of building strong classroom management skills; and  
(5) the framework in this state for teacher and principal evaluation, including the procedures followed in accordance with Subchapter H. [FA2]

No equivalent provision.

SECTION 4. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.0441 to read as follows:

SECTION 4. Same as Senate version except as follows:

No equivalent provision.

Sec. 21.0441. ADMISSION REQUIREMENTS FOR EDUCATOR PREPARATION PROGRAMS.  
(a) Rules of the board proposed under this subchapter must provide that a person, other than a person seeking career and technology education certification, is not eligible for admission to an educator preparation program, *including an educator preparation program*, unless the person:  
(1) except as provided by Subsection (b), satisfies minimum grade point average requirements prescribed by the board, *provided that the board must require:*  
(A) an overall grade point average of at least 2.75 on a four-point scale or the equivalent on any course work previously attempted at a public or private institution of higher education;  
or  
(B) a grade point average of at least 2.75 on a four-point scale or the equivalent for the last 60 semester credit hours attempted at a public or private institution of higher education;  
and  
(2) if the person is seeking initial certification:  
(A) has successfully completed at least:

Sec. 21.0441. ADMISSION REQUIREMENTS FOR EDUCATOR PREPARATION PROGRAMS.  
(a) Rules of the board proposed under this subchapter must provide that a person, other than a person seeking career and technology education certification, is not eligible for admission to an educator preparation program, *including an alternative educator preparation program*, unless the person:  
(1) except as provided by Subsection (b), satisfies minimum grade point average requirements prescribed by the board, *not to exceed the following:*  
(A) an overall grade point average of at least 2.75 on a four-point scale or the equivalent on any course work previously attempted at a public or private institution of higher education;  
or  
(B) a grade point average of at least 2.75 on a four-point scale or the equivalent for the last 60 semester credit hours attempted at a public or private institution of higher education;  
and  
(2) if the person is seeking initial certification:  
(A) has successfully completed at least:

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (HE)

CONFERENCE

(i) 15 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is seeking certification to teach mathematics or science at or above grade level seven; or  
(ii) 12 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is not seeking certification to teach mathematics or science at or above grade level seven; or  
(B) has achieved a satisfactory level of performance on a content certification examination, which may be a content certification examination administered by a vendor approved by the commissioner for purposes of administering such an examination for the year for which the person is applying for admission to the program.

(i) 15 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is seeking certification to teach mathematics or science at or above grade level seven; or  
(ii) 12 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is not seeking certification to teach mathematics or science at or above grade level seven; or  
(B) has achieved a satisfactory level of performance on a content certification examination, which may be a content certification examination administered by a vendor approved by the commissioner for purposes of administering such an examination for the year for which the person is applying for admission to the program.

No equivalent provision.

(b) The board's rules must permit an educator preparation program to admit in extraordinary circumstances a person who fails to satisfy a grade point average requirement prescribed by Subsection (a)(1)(A) or (B), provided that:  
(1) not more than 10 percent of the total number of persons admitted to the program in a year fail to satisfy the requirement under Subsection (a)(1)(A) or (B); and  
(2) for each person admitted as described by this subsection, the director of the program determines and certifies, based on documentation provided by the person, that the person's work, business, or career experience demonstrates achievement comparable to the academic achievement represented by the grade point average requirement. [FA2]

(b) Same as Senate version.

No equivalent provision.

SECTION \_\_. Section 21.048, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

SECTION 5. Same as Senate version.

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(a) The board shall propose rules prescribing comprehensive examinations for each class of certificate issued by the board. The board shall determine the satisfactory level of performance required for each certification examination. For the issuance of a generalist certificate, the board shall require a satisfactory level of examination performance in each core subject covered by the examination.

(a-1) The board may not require that more than 45 days elapse before a person may retake an examination. [FA2]

No equivalent provision.

SECTION \_\_. Section 21.352, Education Code, is amended by amending Subsection (c) and adding Subsections (c-1), (c), and (f) to read as follows:

(c) Except as otherwise provided by this subsection, appraisal must be done at least once during each school year. A teacher may be appraised less frequently if the teacher agrees in writing and the teacher's most recent evaluation rated the teacher as at least proficient, or the equivalent, and did not identify any area of deficiency. A teacher who is appraised less frequently than annually must be appraised at least once during each period of five school years. The district shall maintain a written copy of the evaluation of each teacher's performance in the teacher's personnel file. Each teacher is entitled to receive a written copy of the evaluation promptly on its completion. After receiving a written copy of the evaluation, a teacher is entitled to a second appraisal by a different appraiser or to submit a written rebuttal to the evaluation to be attached to the evaluation in the teacher's personnel file. The evaluation and any rebuttal may be given to another school district at which the teacher has applied for employment at the request of that district.

SECTION 6. Same as Senate version.

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(c-1) In addition to conducting a complete appraisal as frequently as required by Subsection (c), a school district shall require that appropriate components of the appraisal process, such as classroom observations and walk-throughs, occur more frequently as necessary to ensure that a teacher receives adequate evaluation and guidance. A school district shall give priority to conducting appropriate components more frequently for inexperienced teachers or experienced teachers with identified areas of deficiency.

(c) A district shall use a teacher's consecutive appraisals from more than one year, if available, in making the district's employment decisions and developing career recommendations for the teacher.

(f) The district shall notify a teacher of the results of any appraisal of the teacher in a timely manner so that the appraisal may be used as a developmental tool by the district and the teacher to improve the overall performance of the teacher. [FA2]

No equivalent provision.

SECTION \_\_. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.4513 to read as follows:

Sec. 21.4513. PROFESSIONAL DEVELOPMENT REQUIREMENTS AUDIT. (a) Using only available funds and resources from public or private sources, the agency shall periodically conduct an audit of the professional development requirements applicable to educators in this state, including state and federal requirements and requirements imposed by school districts.

(b) Based on audit results, the agency shall seek to eliminate conflicting requirements and consolidate duplicative requirements through the following methods, as appropriate:

SECTION 7. Same as Senate version.

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

(1) taking administrative action;  
(2) encouraging school districts to make appropriate changes to district policies; or  
(3) recommending statutory changes to the legislature.  
(b-1) The agency shall complete the initial audit required by Subsection (a) not later than August 1, 2014. This subsection expires September 1, 2014.  
(c) The agency shall provide guidance to school districts regarding high-quality professional development and the outcomes expected to result from providing that caliber of professional development. [FA2]

No equivalent provision.

SECTION \_\_. Section 21.458, Education Code, is amended by amending Subsection (c) and adding Subsections (e) and (e-1) to read as follows:  
(c) From the funds appropriated to the agency for purposes of this section, the commissioner shall adopt rules and provide funding to school districts that assign mentor teachers under this section. Funding provided to districts under this section may be used only for providing:  
(1) mentor teacher stipends;  
(2) scheduled release time for mentor teachers and the classroom teachers to whom they are assigned for meeting and engaging in [to provide] mentoring activities [to assigned classroom teachers]; and  
(3) mentoring support through providers of mentor training.  
(c) Each year the commissioner shall report to the legislature regarding the effectiveness of school district mentoring programs.  
(e-1) Not later than November 1, 2013, the governor, lieutenant governor and speaker of the house of

SECTION 8. Substantially the same as Senate version.

**House Bill 2012**  
Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (IE)

CONFERENCE

representatives shall form an advisory committee to evaluate the implementation of this section and make recommendations for improvement. The committee shall develop recommended guidelines that align teacher induction and mentoring activities with expectations for new teachers based on teaching practice standards. The agency shall provide administrative support for the committee. The committee shall submit a report of its recommendations to the governor and legislature not later than January 1, 2015. This subsection expires January 31, 2015. [FA2]

No equivalent provision.

SECTION \_\_. Not later than September 1, 2014, the Texas Education Agency, the State Board for Educator Certification, and the Texas Higher Education Coordinating Board shall jointly review existing standards for preparation and admission that are applicable to educator preparation programs, including stakeholder input in the review and development of those standards, and develop and implement modifications necessary to reflect updated standards for the teaching profession. [FA2]

SECTION 9. Same as Senate version.

No equivalent provision.

SECTION \_\_. To the extent of any conflict, this Act prevails over another Act of the 83rd Legislature, Regular Session, 2013, relating to nonsubstantive additions to and corrections in enacted codes. [FA2]

SECTION 10. Same as Senate version.

SECTION 2. Effective date.

SECTION 3. Same as House version.

SECTION 11. Same as House version.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**May 25, 2013**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB2012** by Villarreal (Relating to public school educators and certain other professional employees of school districts.), **Conference Committee Report**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would require TEA to collect employee salary data from school districts through the Public Education Information Management System and provide information on the agency's website that indicates, by school district, the average salaries of classroom teachers by subject and grade level.

TEA would be required to analyze the cost of living in each region of the state to determine if teacher salaries were comparable to salaries of comparable professionals in that region, post the analysis results to its website, and provide the analysis results to members of the legislature by December 1, 2014. The Texas Association of School Boards (TASB) currently conducts studies related to school employee salaries. The required data collection and analysis of salaries could be accomplished in coordination with TASB. No additional costs to the state are anticipated to complete this requirement.

The bill would require the commissioner of education to develop an online teaching and learning conditions survey to be administered statewide at least biennially to school district employees who are required to hold a certificate. The bill would require the commissioner to contract with a third party to administer the survey. The commissioner would be required to make the survey results available to the public, school districts, and campuses after the administration of each survey.

The bill would stipulate certain requirements for admissions to educator preparation programs and alternative educator preparation programs, including minimum grade point average requirements for previous higher education coursework and minimum required credit hours in the area of certification.

The bill would require that TEA conduct periodic audits of professional development requirements for educators to eliminate conflicting and duplicative provisions among state, local, and federal requirements.

The bill would require TEA to produce an annual report on the effectiveness of educator mentoring programs and would establish an advisory committee including members appointed by the Lieutenant Governor and the Speaker of the House to develop guidelines related to teacher

induction and mentoring. The bill directs that TEA provide administrative support for the committee.

The bill would require TEA, the State Board for Educator Certification (SBEC), and the Texas Higher Education Coordinating Board (THECB) to jointly review standards applicable to educator preparation programs and develop and implement modifications to reflect current teaching standards.

To the extent that provisions related to admissions requirements for educator preparation programs results in decreased enrollment at institutions of higher education, those institutions would have a decrease in tuition revenue and there could be general revenue savings associated with the formula.

This analysis assumes that any costs related to implementing the provisions of the bill could be absorbed within existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

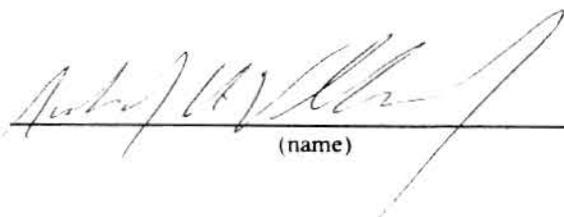
**Source Agencies:** 701 Central Education Agency

**LBB Staff:** UP, JBi, JSc

## Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 3012 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

  
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(name)

5/25/13  
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(date)