

## **BILL ANALYSIS**

C.S.H.B. 116  
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Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been suggested that existing educator preparation and professional development programs do not adequately integrate evidence-based inclusive practices to serve all Texas students, particularly students with disabilities. Research has shown that implementing inclusive practices improves learning for all students, including students with disabilities. C.S.H.B. 116 seeks to enable educators to better serve all students by requiring that teacher preparation programs and staff development training include inclusive instructional practices throughout the curriculum.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 116 amends the Education Code to require the State Board for Educator Certification (SBEC) to propose rules specifying what each primary and secondary educator is expected to know and be able to do, particularly with regard to students with disabilities, and to require the specified minimum academic qualifications required for certification as an educator to be proposed by rule. The bill requires any training requirements for a certificate specified by proposed rules to require that the person demonstrate the following:

- basic knowledge of each disability category under the federal Individuals with Disabilities Education Act and how each category can affect student learning and development;
- basic knowledge of conditions that may be considered a disability under certain provisions of the federal Rehabilitation Act of 1973 and how such a condition can affect student learning and development;
- competence in the use of specified proactive instructional planning techniques; and
- competence in the use of evidence-based inclusive instructional practices.

C.S.H.B. 116 expands the set of minimum academic qualifications for certification that must require the person to be trained in detection and education of students with dyslexia and instruction regarding mental health, substance abuse, and youth suicide by removing language limiting the certification to those that require a person to possess a bachelor's degree. The bill specifies that the information on the high expectations for students in Texas required to be provided by each educator preparation program is information applicable to all students,

including students with disabilities.

C.S.H.B. 116 includes among the requirements for an educator preparation program to be eligible for approval or renewal of approval by the SBEC the incorporation of proactive instructional planning techniques throughout coursework and across content areas using a specified framework and the integration of inclusive practices for all students and of evidence-based instruction and intervention strategies throughout coursework, clinical experience, and student teaching.

C.S.H.B. 116 specifies that the achievement of students taught by beginning teachers for the first three years following certification under the standards governing the continuing accountability of all educator preparation programs applies to all students, including students with disabilities. The bill specifies that the information provided by a preparation program to certification candidates concerning the skills and responsibilities required of teachers is in regard to all students, including students with disabilities, and that the information concerning expectations for student performance include expectations of students with disabilities. The bill includes the ability to create an inclusive school environment and to foster parent involvement in the instructional leadership and curriculum and instruction management for students with disabilities as points of emphasis for the qualifications to be certified as a principal.

C.S.H.B. 116 specifies that a comprehensive field-based teacher program for professional development must be designed on the basis of, among other things, certain current research applicable to all students, including students with disabilities, and on the basis of curriculum theory and application within diverse student populations. The bill specifies that the instructional or educational activities which are part of the field-based experience in which a candidate for certification as a teacher of record must actively engage before employment involve a diverse student population that, to the greatest extent practicable, includes students with disabilities. The bill requires, to the greatest extent practicable, that the flexible options provided by SBEC-proposed rules for any field-based experience or internship required for certification as a teacher of record involve interaction with a diverse student population, including students with disabilities.

C.S.H.B. 116 requires a public school district, in designing the staff development provided to an educator other than a principal, to use procedures that, to the greatest extent possible, ensure the training included in the staff development incorporates proactive instructional planning techniques using a certain framework and integrates inclusive and evidence-based instructional practices for all students, including students with disabilities.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 116 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes the following:

- a definition of "student with a disability";
- a requirement that training under SBEC rule for educator certification require a person to demonstrate basic knowledge of conditions that may be considered a disability under certain provisions of the federal Rehabilitation Act of 1973 and how such a condition can affect student learning and development; and

- a requirement that qualifications for certification as a principal emphasize curriculum and instruction management for students with disabilities.