

SUBJECT: Eliminating certification requirement for Windham superintendent

COMMITTEE: Corrections — favorable, without amendment

VOTE: 5 ayes — Madden, McReynolds, Haggerty, Jones, Oliveira

0 nays

2 absent — Hochberg, Dunnam

WITNESSES: None

BACKGROUND: The Windham School District was created in 1969 as a separate entity from the Texas Department of Criminal Justice (TDCJ) to provide educational and vocational training programs for any person confined or imprisoned who is not a high school graduate. The district operates schools at various TDCJ facilities throughout the state.

Education Code, sec. 19.009 requires that employees of the Windham School District who are required to hold an educator's certificate be certified by the State Board for Educator Certification (SBEC).

DIGEST: HB 282 would specify that the Windham School district superintendent was not required to be certified as a superintendent by SBEC.

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, 2007.

SUPPORTERS SAY: HB 282 would give the Texas Board of Criminal Justice, which serves as the board for the Windham School District, the flexibility it needs to hire a superintendent who has the appropriate qualifications to operate this unique school system.

SBEC's superintendent certification course focuses almost entirely on how to manage public schools, including such topics as public school finances, transportation, and team sports. Many of these issues are of little relevance to the operation of Windham School District, which is unique in its role as

educational provider to the correctional institutions of TDCJ. The Windham superintendent needs different skills and qualifications, including knowledge of how to operate in a prison environment, experience running in-prison programs, knowledge of adult literacy programs, and a criminal justice or educational background.

In 2006, the board wanted to hire the acting Windham superintendent, but that individual was not certified as a superintendent by SBEC. If TEA had not granted a waiver, the district would not have been able to hire the person that they considered to be the best candidate for the position.

HB 282 would bring the qualifications for the position of Windham superintendent in line with the demands of the position by removing the statutory requirement that this person hold a superintendent certification. The bill would not affect certification requirements for other Windham instructors.

**OPPONENTS
SAY:**

Removing the requirement that the Windham superintendent be certified by SBEC could diminish the emphasis on the educational background of the superintendent. The board should continue to seek out certified candidates who have been trained and certified. If the certification requirement creates a barrier to hiring a particular candidate, the board can seek a waiver from TEA, as it did in 2006.