

## **BILL ANALYSIS**

Senate Research Center

S.B. 1839  
By: Hughes  
Education  
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Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Each year almost 30,000 new first-year teachers enter Texas classrooms. These professionals are prepared by over 200 educator preparation programs ranging from traditional four-year degrees to alternative certification to post-baccalaureate training. They face the honorable and daunting task of educating 5.3 million Texas schoolchildren of varied academic, economic, regional, and cultural backgrounds in approximately 1,200 school districts and charters. Offering these teachers the very best in educator preparation helps ensure they are ready for vocational success.

Toward that end, Educate Texas convened in 2016 the Texas Teacher Preparation Collaborative, a blue-ribbon panel chaired by former Texas Commissioner of Education Jim Nelson. The collaborative's goal was to evaluate educator preparation programs and make recommendations to strengthen these programs for the benefit of teachers and the state. S.B. 1839 incorporates several of the panel's findings.

Sections 1 and 2 of the bill require the Texas Education Agency (TEA) to provide data to educator preparation programs from the Public Education Information Management System (PEIMS) to assist these programs in assessing their impact and improving their effectiveness. The TEA and educator preparation programs will work together to identify information that the programs will report through PEIMS. Program-specific evaluation and the general study of best practices will improve the quality of educator preparation and teacher performance in the classroom.

Section 3 of S.B. 1839 facilitates the certification of out-of-state teachers who want to teach in Texas. Texas faces a teacher shortage, and the shortfall in several critical areas is of particular concern. For example, the State Board for Educator Certification had a goal of 44,700 teacher certifications in 2015 but issued only 21,349. The 2,880 math and science certifications in 2015 fell short of the goal of 6,500 in these critical areas. Streamlining the certification process for good teachers from out of state will help attract talented professionals to Texas classrooms.

Finally, state law covering virtual professional development courses offered to teachers makes a reference to a "highly-qualified" teacher category in federal statute that is obsolete. Section 4 of the bill eliminates this reference. (Original Author's / Sponsor's Statement of Intent)

S.B. 1839 amends current law relating to the preparation, certification, and classification of and professional development for public school educators.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education (commissioner) in SECTION 7 (Section 21.052, Education Code) of this bill.

Rulemaking authority previously granted to the State Board for Educator Certification (SBEC) is modified in SECTION 3 (Section 21.044, Education Code) of this bill.

Authority to propose rules is expressly granted to SBEC in SECTION 9 and SECTION 13 of this bill.

Rulemaking authority previously granted to the commissioner is rescinded in SECTION 12 (Section 21.005, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 21.001, Education Code, as follows:

Sec. 21.001. New heading: DEFINITIONS. Defines “digital learning” and “digital literacy” and makes nonsubstantive changes.

SECTION 2. Amends Section 21.043, Education Code, as follows:

Sec. 21.043. ACCESS TO PEIMS DATA. (a) Creates this subsection from existing text. Makes no further change to this subsection.

(b) Requires the Texas Education Agency (TEA) to provide educator preparation programs (programs) with data based on information reported through the Public Education Information Management System (PEIMS) that enables a program to assess the impact of the program and revise the program as needed to improve the design and effectiveness of the program.

(c) Requires TEA in coordination with the State Board for Educator Certification (SBEC) to solicit input from programs to determine the data to be provided to programs.

SECTION 3. Amends Section 21.044, Education Code, by adding Subsections (c-2) and (f-1), as follows:

(c-2) Requires that any minimum academic qualifications for a certificate specified under Subsection (a) (relating to requiring SBEC to propose rules for certain training requirements) that require a person to possess a bachelor’s degree also require that the person receive, as part of the training required to obtain that certificate, instruction in digital learning, including a digital literacy evaluation followed by a prescribed digital learning curriculum. Requires that the required instruction meet certain criteria.

(f-1) Prohibits SBEC rules addressing ongoing program support for a candidate seeking certification in a certification class other than classroom teacher from requiring that a program conduct one or more formal observations of the candidate on the candidate’s site in a face-to-face setting. Requires that the SBEC rules permit each required formal observation to occur on the candidate’s site or through use of electronic transmission or other video-based or technology-based method.

SECTION 4. Amends Section 21.045, Education Code, by adding Subsection (d), as follows:

(d) Requires TEA, to assist a program in improving the design and effectiveness of the program in preparing educators for the classroom, to provide to each program data that is compiled and analyzed by TEA based on information reported through PEIMS relating to the program.

SECTION 5. Amends Subchapter B, Chapter 21, Education Code, by adding Section 21.0489, as follows:

Sec. 21.0489. EARLY CHILDHOOD CERTIFICATION. (a) Requires SBEC, to ensure that there are teachers with special training in early childhood education focusing on prekindergarten through grade three, to establish an early childhood certificate.

(b) Provides that a person is not required to hold a certificate established under this section to be employed by a school district to provide instruction in prekindergarten through grade three.

(c) Requires a person to satisfactorily complete certain course work, perform satisfactorily on certain examinations, and satisfy any other requirements prescribed by SBEC to be eligible for a certificate established under this section.

(d) Requires that the criteria for the course of instruction described by Subsection (c)(1)(A) (relating to requiring a person to satisfactorily complete certain course work to be eligible for a certificate) be developed by SBEC in consultation with faculty members who provide instruction at institutions of higher education in programs for an early childhood through grade six certificate.

SECTION 6. Amends Section 21.051, Education Code, by amending Subsection (b) and adding Subsection (b-1), as follows:

(b) Requires a candidate for certification, before a school district may employ a candidate as a teacher of record and, except as provided by Subsection (b-1), after the candidate's admission to a program, to complete certain field-based experiences.

(b-1) Authorizes a candidate to satisfy up to 15 hours of the field-based experience requirement under Subsection (b) by serving as a long-term substitute teacher as prescribed by SBEC rule. Authorizes experience under this subsection to occur after the candidate's admission to a program or during the two years before the date the candidate is admitted to the program. Requires that the candidate's experience in instructional or educational activities be documented by the program and be obtained at certain schools.

SECTION 7. Amends Section 21.052, Education Code, by adding Subsection (a-1) and amending Subsection (e), as follows:

(a-1) Authorizes the commissioner of education (commissioner) to adopt rules establishing exceptions to the examination requirements prescribed by Subsection (a)(3) (relating to authorizing the issuance of a certificate to an educator who applies for a certificate and performs satisfactorily on certain examinations) for an educator from outside the state to obtain a certificate in this state.

(e) Requires an educator who has submitted all documents required by SBEC for certification and who receives a temporary certificate as provided by Subsection (c) (relating to authorizing SBEC to issue a certificate to an educator who holds a degree and a certificate or other credential but has not certified certain requirements), rather than Subsection (a) (relating to authorizing SBEC to issue a certain certificate to an educator who holds certain credentials), to perform satisfactorily on the examination prescribed under Section 21.048 (Certification Examinations) not later than the first anniversary of the date SBEC completes the review of the educator's credentials and informs the educator of the examination or examinations under Section 21.048 on which the educator is required to perform successfully to receive a standard certificate.

SECTION 8. Amends Sections 21.054(d) and (e), Education Code, as follows:

(d) Requires that continuing education requirements for a classroom teacher provide that not more than 25 percent of the training required every five years include instruction regarding digital learning, digital teaching, and integrating technology into classroom instruction.

(e) Requires that continuing education requirements for a principal provide that not more than 25 percent of the training required every five years include instruction regarding digital learning, digital teaching, and integrating technology into campus curriculum and instruction.

SECTION 9. Amends Subchapter B, Chapter 21, Education Code, by adding Section 21.0543, as follows:

Sec. 21.0543. CONTINUING EDUCATION CREDIT FOR INSTRUCTION RELATED TO DIGITAL TECHNOLOGY. Requires SBEC to propose rules allowing an educator to receive credit toward the educator's continuing education requirements for completion of education courses that use technology to increase the educator's digital literacy, and assist the educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices.

SECTION 10. Amends Section 21.451, Education Code, by amending Subsection (d) and adding Subsection (d-3), as follows:

(d) Provides that the staff development is authorized to include training in digital learning and, subject to Subsection (e) (relating to training for an educator who works primarily outside the area of special education) and to Section 21.3541 (Appraisal and Professional Development System for Principals) and rules adopted under that section, is required to include training that is evidence-based, as defined by Section 8101, Every Student Succeeds Act, rather than based on scientifically based research, as defined by Section 9101, No Child Left Behind Act of 2001 (20 U.S.C. Section 7801), that includes certain information.

(d-3) Requires that the digital learning training provided by Subsection (d)(1)(E) (relating to authorizing staff development to include training in digital learning) discuss basic technology proficiency expectations and methods to increase an educator's digital literacy, and assist an educator in the use of digital technology in learning activities that improve teaching, assessment, and instructional practices.

SECTION 11. Amends Section 30A.112(b), Education Code, to delete existing text authorizing the state virtual school network to provide or authorize providers of electronic professional development courses to provide professional development for teachers who are required to become highly qualified under Section 1119, No Child Left Behind Act of 2001, (20 U.S.C. Section 6319). Makes nonsubstantive changes.

SECTION 12. Repealer: Section 21.005 (High-Quality Teachers), Education Code.

Repealer: Section 21.052(g) (relating to requiring the commissioner to provide guidance to school districts that employ a certain certified educator), Education Code.

SECTION 13. Requires SBEC to propose rules establishing requirements and prescribing an examination for an early childhood certificate examination as required by Section 21.0489, Education Code, as added by this Act, and establishing standards to govern the approval and renewal of approval of programs for early childhood certification.

SECTION 14. Provides that the commissioner is required to implement Sections 21.043(b) and (c) and 21.045(d), Education Code, as added by this Act, only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require, the commissioner, if the legislature does not appropriate money specifically for that purpose, to implement those sections using other appropriations available for the purpose.

SECTION 15. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 16. Effective date: upon passage or September 1, 2017.