

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 293
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Education
4/27/2019
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As more students are identified as having special needs through the state's Special Education Strategic Plan, there is a growing necessity for teachers who are properly trained to educate students with special needs. With the majority of these students in our state attending classes with their non-special education peers through the state policy of mainstreaming, it is crucial that all teachers be properly equipped to meet a diverse range of learning needs. Unfortunately, these inclusive teaching strategies are not required to be part of the teacher training curriculum used by colleges, universities, or alternative educator preparation programs, and many educators report that some programs do not adequately incorporate this material. Without a guarantee that all educators receive this training, teachers will be less prepared to effectively identify and teach students with special needs, and those students will be at even greater risk of falling behind.

S.B. 293 ensures that all educators will receive training in these vital skills by requiring existing educator preparation courses to integrate material on inclusive instructional practices. The bill also contains provisions for updating currently certified educators on these important classroom tools, as they may not have received that training in their own preparation programs. Equipping all Texas educators with the resources they need to reach all students in their classrooms is essential in making sure our special needs students are able to access the services they need to reach their full educational potential. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 293 amends current law relating to improving training and staff development for primary and secondary educators to enable them to more effectively serve all students.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the State Board of Education on behalf of the State Board for Educator Certification is modified in SECTION 2 (Section 21.044, Education Code), SECTION 4 (Section 21.045, Education Code), and SECTION 8 (Section 21.051, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.001, Education Code, by adding Subdivision (4) to define "student with a disability."

SECTION 2. Amends Section 21.044, Education Code, by amending Subsections (a), (b), (c-1), and (g) and adding Subsection (a-1), as follows:

- (a) Requires the State Board for Educator Certification (SBEC) to propose rules:
 - (1) specifying what each educator is expected to know and be able to do, particularly with regard to students with disabilities;
 - (2) creates this subdivision and Subdivision (3) from existing text and makes nonsubstantive changes; and
 - (3) specifying the minimum amount of academic qualifications required for a certificate.

(a-1) Requires any training requirements for a certificate specified under Subsection (a) to require that the person demonstrate:

(1) basic knowledge of each disability category under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) and how each category can affect student learning and development and conditions that may be considered a disability under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), and how a condition covered by that section can affect student learning and development;

(2) competence in the use of proactive instructional planning techniques that:

(A) provide flexibility in the ways information is presented, students respond or demonstrate knowledge and skills, and students are engaged;

(B) reduce barriers in instruction;

(C) provide appropriate accommodations, supports, and challenges; and

(D) maintain high achievement expectations for all students, including students with disabilities and students of limited English proficiency; and

(3) competence in the use of evidence-based inclusive instructional practices, including:

(A) general and special education collaborative and co-teaching models and approaches;

(B) multitiered systems of support, including response to intervention strategies, classroom and school level data-based collaborative structures, and evidence-based strategies for intervention and progress monitoring systems in academic areas;

(C) classroom management techniques using evidence-based behavioral intervention strategies; and

(D) appropriate adaptation strategies, including accommodations, modifications, and instruction in the use of assistive technology for instruction.

(b) Requires the minimum academic qualification for a certificate specified under Subsection (a) to require that the person receive, as part of the training required to obtain that certificate, instruction in detection and education of students with dyslexia. Deletes existing text that requires that any minimum academic qualifications for a certificate specified under Subsection (A) that require a person to possess a bachelor's degree also require that the person receives instruction and detection and education of students with dyslexia.

(c-1) Makes conforming changes to this subsection.

(g) Requires each educator preparation program to provide certain information, including information regarding the skills that educators are required to possess, the responsibility that educators are required to accept, and the high expectations for students, including students with disabilities, in this state.

SECTION 3. Amends Section 21.0443(b), Education Code, as follows:

(b) Requires an educator preparation program, to be eligible for approval or renewal of approval, to:

(1) incorporate proactive instructional planning techniques throughout course work and across content areas using a framework that:

(A) providing flexibility in the ways:

(i) information is presented;

(ii) students respond or demonstrate knowledge and skills; and

(iii) students are engaged;

(B) reduces barriers in instruction;

(C) provides appropriate accommodations, supports, and challenges; and

(D) maintains high achievement expectations for all students, including students with disabilities and students of limited English proficiency;

(2) integrate inclusive practices for all students, including students with disabilities, and evidence-based instruction and intervention strategies throughout course work, clinical experience, and student teaching; and

(3)–(4) creates these subdivisions from existing text and makes no further changes.

SECTION 4. Amends Section 21.045(a), Education Code, as follows:

(a) Requires SBEC to propose rules necessary to establish standards to govern the continuing accountability of all educator preparation programs based on the following information that is disaggregated with respect to race, sex, and ethnicity:

(1)–(2) makes no changes to these subdivisions;

(3) achievement, including improvement in achievement, if all students, including students with disabilities, rather than achievement, including improvement in achievement, of all students, taught by beginning teachers for the first three years following certification, to the extent practicable; and

(4)–(5) makes no changes to these subdivisions.

SECTION 5. Amends Section 21.0453(a), Education Code, as follows:

(a) Requires SBEC to require an educator preparation program to provide candidates for teacher certification with information concerning the following:

(1) skills and responsibilities required of teachers with regard to all students, including students with disabilities, rather than skills and responsibilities required of teachers;

(2) expectations for student performance, including students with disabilities, rather than expectations for student performance, based on state standards; and

(3)–(5) Makes no changes to these subdivisions.

SECTION 6. Amends Section 21.046(b), Education Code, as follows:

(b) Requires the qualifications for certification as a principal to meet certain requirements, including to emphasize instructional leadership, including the ability to create an inclusive school environment and to foster parent involvement, rather than

instructional leadership, and curriculum and instruction management, including curriculum and instruction management for students with disabilities, rather than curriculum and instruction management.

SECTION 7. Amends Section 21.047(c), Education Code, as follows:

(c) Requires a comprehensive field-based teaching program for professional development of teachers to meet certain requirements, including to be designed on the basis of current research into state-of-the-art teaching practices applicable to all students, including students with disabilities, curriculum theory and application within the diverse student populations, evaluation of student outcomes, and the effective application of technology, rather than to be designed on the basis of current research into state-of-the-art teaching processes, curriculum theory and application, evaluation of student outcomes, and the effective application of technology.

SECTION 8. Amends Sections 21.051(b) and (f), Education Code, as follows:

(b) Requires a candidate for certification as a teacher of record, before a school district is authorized to employ the candidate and, except as provided by Subsection (b–1) (relating to authorizing the candidate to satisfy certain field-based experience requirements by serving as a long-term substitute teacher), after the candidate's admission to an educator preparation program, to complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities involving a diverse student population that, to the greatest extent practicable, include students with disabilities, under supervision at certain schools, rather than engaged in institutional of educational activities at certain schools.

(f) Requires the options to satisfy certain experience requirements proposed by rule by SBEC, to the greatest extent practicable, to involve interaction with a diverse population, including students with disabilities.

SECTION 9. Amends Section 21.451, Education Code, by adding Subsection (a–2), as follows:

(a-2) Requires a school district, in designing the staff development described by Subsection (a) (relating to the requirements of the staff development provided by a school district to an educator other than a principal), to use procedures that, to the greatest extent possible, ensure the training included in the staff development:

(1) incorporates proactive instructional planning techniques using a framework that:

(A) provides flexibility in the ways:

(i) information is presented;

(ii) students respond or demonstrate knowledge and skills; and

(iii) students are engaged;

(B) reduces barriers to instruction;

(C) provides appropriate accommodations, supports, and challenges; and

(D) maintains high achievement expectations for all students, including students with disabilities and students of limited English proficiency; and

(2) integrates inclusive and evidence-based instructional practices for all students, including students with disabilities.

SECTION 10. Effective date: September 1, 2019.