

- SUBJECT:** Creating the public school educator excellence innovation program
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 10 ayes — Aycock, Allen, J. Davis, Deshotel, Farney, Huberty, K. King, Ratliff, J. Rodriguez, Villarreal
- 0 nays
- 1 absent — Dutton
- WITNESSES:** For — Erika Beltran, Katie Brattain, Brittany Evans, Stacey Hodge, Julie Robinson, and Michael Scott, Teaching Trust; Susanna Crafton, Stand for Children Texas; Grace Van Voorhis; (*Registered, but did not testify:* Melva V. Cardenas, Texas Association of School Personnel Administrators; Andrew Erben, Texas Institute for Education Reform; Lloyd W. Graham, La Porte ISD; Patricia V. Hayes, Stand for Children Texas; David Maddox, Kids First; Nelson Salinas, Texas Association of Business; Howell Wright, Texas Association of Mid-Size Schools, Texas Association of Community Schools; and five individuals)
- Against — None
- On — Priscilla Aquino-Garza and John Fitzpatrick, Educate Texas; Ted Melina Raab, Texas AFT; Sandra West, Science Teachers Association of Texas; (*Registered, but did not testify:* David Anderson, Texas Education Agency)
- BACKGROUND:** The 79th Legislature in 2006 created the Educator Excellence Awards Program to provide grants to school districts.
- The law requires a school district to use at least 60 percent of grant funds to directly award classroom teachers and principals who effectively improve student achievement as determined by meaningful, objective measures. Remaining funds may be used for mentoring and to provide financial incentives for teachers who work in hard-to-staff schools and subject areas.
- DIGEST:** CSHB 1751 would amend Education Code, ch. 21, subch. O to establish

the purpose and requirements for the renamed Educator Excellence Innovation Program. The bill would repeal Education Code, sec. 21.705, which specifies how districts may use grant funds awarded under the program.

The program would be designed to systemically transform educator quality and effectiveness through innovative school district-level policies, including hiring, evaluation, professional development, and compensation. The goal would be to improve student learning and academic performance, especially in districts where a majority of campuses serve a student population that is at least 50 percent educationally disadvantaged.

The bill would require the Texas Education Agency (TEA) to award grants on a competitive basis, giving weight to plans that comprehensively and innovatively addressed educator quality and effectiveness.

It would eliminate requirements that funds be distributed using a formula based on average daily attendance.

The bill would allow districts to use grant funds to:

- implement and administer a high-quality mentoring program for teachers in the first three years of classroom work using mentors who are experienced, trained, and preferably teach in the same subject and school;
- implement a teacher evaluation system using multiple measures that include classroom observation, degree of student educational growth and learning, and self-evaluation;
- restructure the school day or year for professional development, to the extent allowed by law; and
- establish an alternative teacher compensation or retention system.

Districts could ask the education commissioner for flexibility from statutory provisions relating to educator appraisals and incentives, staff development, and the minimum salary schedule. A majority of the school board and a majority of teachers and other staff members at affected campuses would be required to vote for the waiver request.

CSHB 1751 also would make changes to educator excellence plans developed by district-level committees and submitted to TEA. Those plans no longer would require approval by a majority of teachers at the affected

campus nor evidence of significant teacher involvement. Districts would not be required to provide notice to teachers and principals about criteria and formulas for distributing monetary awards.

The bill would take immediate effect if passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013. It would apply beginning with the 2014-2015 school year.

**SUPPORTERS
SAY:**

CSHB 1751 would improve student learning and academic progress by transforming educator quality and effectiveness through mentoring, professional development, and teacher pay incentives.

Research consistently shows that teacher quality is directly linked to student achievement. It also is true that students in economically disadvantaged schools are least likely to have effective teachers in their classrooms.

The bill would encourage districts to think innovatively about how to develop the best teachers. Districts could seek a waiver from state laws governing the minimum salary schedule, teacher evaluations, and professional development, but only if a majority of the school board and educators voted their approval.

Grants would be awarded on a competitive basis, and districts would need to be creative and innovative in their plans. It would be a local decision how to spend the money, and districts could decline to use it for merit pay or bonuses if they thought such initiatives would be divisive.

Student test scores are only one of several factors that could be considered in evaluating teachers. The bill also would require classroom observations and self-evaluations to provide a broad overview of how well a teacher was doing.

Eliminating the minimum salary schedule, which dictates pay based on years in the classroom, and adopting a more rigorous, annual teacher evaluation system were among recommendations in a December 2012 report by the Texas Teaching Commission, launched by Educate Texas, a nonprofit funded by the Bill and Melinda Gates Foundation and the Communities Foundation of Texas. CSHB 1751 would give districts a means to adopt some of those recommendations.

The District Awards for Teaching Excellence (DATE), established by the Legislature in 2006, were intended to encourage districts to develop strategic compensation plans to encourage teachers to work in hard-to-staff schools and subject areas. Since 2006, about 516 districts have been awarded DATE funds.

Critics say DATE-funded educator stipends of \$1,000 to \$3,000 were not sufficiently large to drive fundamental improvements in teaching or student learning. CSHB 1751 would allow more significant pay incentives to reward the most effective educators.

Additionally, as the state has lowered its funding for DATE, districts have mainly used the money to draw down federal funds for teacher incentives.

**OPPONENTS
SAY:**

CSHB 1751 would allow districts to seek a waiver from the education commissioner to make major changes in teacher pay and evaluations. Texas ranks among the bottom states in average teacher pay, and the minimum salary schedule keeps experienced teachers in the classroom.

Although the bill would require a majority of educators to approve a waiver request, it would be better to require a supermajority vote such as two-thirds.

Giving large bonus or pay increases to a few teachers could result in resentment and less collegiality on a campus. A better environment is created when all educators are able share in a school's success.

The bill also would allow teacher evaluations to be based partly on growth in student learning, which could lead to teacher pay being linked to student scores on state standardized tests. Linking teacher pay to test scores is a bad idea that would only raise the high-stakes nature of testing, which has been widely criticized by legislators this session.