

BILL ANALYSIS

Senate Research Center
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H.B. 704
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Education
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Engrossed

DIGEST AND PURPOSE

At the beginning of the 2000-2001 school year, Texas had approximately 44,000 teacher openings. It was estimated that only 14,000 new recruits were available to fill these positions, leaving 30,000 unfilled classrooms. Educational aides, returning retirees, and substitutes make up a portion of the shortfall, but innovative action is needed for the public school system to overcome the shortage of qualified teachers. Possible recruits might come from professionals in the private sector who have lost employment due to large-scale layoffs or who desire a change in career. H.B. 704 establishes a program to assist persons in obtaining state certification as an elementary or secondary school teacher or educational aide and to facilitate their employment in Texas school districts.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Education Agency in SECTION 1 (Section 21.607, Education Code) and to the commissioner of education in SECTION 1 (Section 21.611, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

H.B. 704 amends the Education Code to require the Texas Education Agency (TEA) to establish a program to assist individuals in obtaining certification as an elementary or secondary school teacher or educational aide, and to facilitate the employment of those persons in school districts in Texas that:

- receive federal grants for having developed or adopted challenging content and student performance standards on the basis of having concentrations of educationally-disadvantaged children in the district; and
- have a shortage of qualified teachers, in science, mathematics, computer science, or engineering, or educational aides.

The bill requires the commissioner of education (commissioner) to adopt rules to implement the program.

The bill sets forth eligibility requirements for a person planning to participate in the program. The bill provides for the development and distribution of applications and information regarding the program and the selection of program participants by TEA. The bill requires TEA when selecting participants to give preference to an individual with substantial, demonstrated career experience in science, mathematics, computer science, engineering, or a field identified by TEA as important for state educational objectives. The bill requires the commissioner to determine the level of experience considered to be substantial for purposes of selecting preferred individuals.

H.B. 704 provides that a person selected for the program must enter into a written agreement with TEA under which the person agrees to:

- obtain certification in Texas as an elementary or secondary school teacher or as an educational aide within the period TEA requires by rule; and
- accept an offer of full-time employment for at least two school years in a school district receiving a federal grant and experiencing a shortage of qualified teachers in science, mathematics, computer science, or engineering, or educational aids.

The bill requires TEA to pay each program participant a stipend equal to the lesser of \$5,000 or an amount equal to the total federally-defined cost of attendance at an institution of higher education, including:

- tuition and fees;
- an allowance for books, supplies, transportation, and miscellaneous expenses;
- an allowance for room and board;
- an allowance for expenses incurred by a student for dependent care; and
- an allowance for expenses related to a student's disability.

The bill requires the person to reimburse TEA for a portion of the stipend if the person fails to obtain certification or employment, or voluntarily leaves or is terminated from employment in a public school in Texas after working for less than two years. The bill provides that the obligation to reimburse TEA is a debt to the state, and that a discharge in bankruptcy does not release the person from the obligation to reimburse TEA. The bill also sets forth provisions regarding the rate of interest applied to the amount owed. The bill sets forth circumstances under which a participant in the program is not considered to be in violation of the agreement, as well as circumstances under which an individual is excused from reimbursement of the stipend.

The bill authorizes TEA to enter into an agreement with a school district that first employs as a full-time elementary or secondary school teacher or an educational aide a participant in the program who has received certification. The agreement must provide that the district agree to employ the person full-time for at least two years at a specified salary in a school that meets the criteria set forth in this bill. Additionally, the agreement must provide that the state is required to pay the district \$5,000 each year for no more than two years for the person hired.

Effective date: September 1, 2001.