

The Honorable Brad Buckley
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768

April 3, 2023

Dear Chairman Buckley and Members of the House Committee on Public Education:

The Texas Association of School Boards (TASB), Texas Association of Community Schools (TACS), Texas Elementary Principals and Supervisors Association (TEPSA) and the Texas Association of School Administrators (TASA) are pleased to see the Committee on Public Education continue its focus on Texas teachers – the linchpin of our public schools. School boards and our communities value the role every teacher plays and recognize the critical need for support, recognition, and increased pay.

Since the COVID-19 pandemic and the state's focus on accelerated learning, school districts have become desperate to find high-quality teachers. Our organizations endorse provisions in HB 11 that provide state funding to offset retire/rehire costs that districts incur when seeking qualified, retired teachers to help students.

We offer the following comments regarding some provisions in HB 11 that may limit the ability of schools and teachers to tailor the education they provide to their local students:

Issue: Removing State Board of Education (SBOE) Oversight

Since 1996, the State Board for Educator Certification (SBEC) has been required to submit its rules to the elected SBOE for review before implementation. This bill seeks to remove SBOE oversight from SBEC's rulemaking process and allows a fully appointed board to determine the rules that govern the oversight, certification, and discipline of educators in the state. Not having SBOE oversight of a fully appointed body like SBEC weakens the ability of voters to have their elected representatives oversee the rulemaking process.

Issue: Continuing Education Prohibition

The bill prohibits continuing education or other training beyond the hours required of a classroom teacher on January 1, 2023. How do you calculate the number of training hours required as of January 1, 2023? Which entities or required training does this bill effect? Does this impact SBEC and the 150 hours of continuing education teachers are required to complete every five years for the maintenance of their certification? Will this prohibit a district from using training to fulfill a Goal-Setting and Professional Development Plan to help improve a teacher's skills? This section of the bill seems counterintuitive to the state-adopted teacher standard number 6, "Professional Practices and Responsibilities," which states, "Teachers [will] actively participate in professional learning communities organized to improve instructional practices and student learning." Additionally, school districts do not determine a vast majority of annually required staff training. Asking a school district to offset time or compensate staff for state-required training with no additional funding makes each of these trainings an unfunded mandate.

Issue: Contract Abandonment

For the past three years, our organizations have been working to negotiate the terms under which a teacher cannot be sanctioned for abandoning their contract in the 45 days before the first day of school. This arduous process culminated in Texas Administrative Code, Chapter 19, Section 249.17, adopted by SBEC on March 3, 2022. HB 11 departs from this new rule by adding that a teacher has good cause to abandon their contract if they need to “forgo employment during a period of required employment under the teacher’s contract.” With such a broad standard, under what circumstances would a teacher not have good cause to abandon their contract? While we acknowledge there are situations that warrant a teacher leaving their students, lowering the current standard will further exacerbate the teacher shortage. A contract works for both sides. Allowing off-ramps or loopholes for teachers leaves the school district and students in the lurch.

Issue: Mandating Methodology

The state’s focus on reading has been significant over the past few years. We agree that phonics instruction is the best way to teach the science of reading for most students; however, a variety of instructional methods is necessary to adapt lessons for all learners. Elements of three-cuing, which is a form of reading instruction that relies on context and sentence structure, may benefit students with hearing impairments. Additionally, absolutes such as methodological prohibitions may conflict with federal and state mandated practices such as specially designed instruction determined by student ARD committees from being considered and implemented. It is crucial that the legislature point educators towards evidence-based instructional methods while still allowing flexibility for meeting the needs of all students.

Issue: Creation of More Allotments

The bill proposes increases to funding allotments for teachers, but this will likely lead to uneven distribution of funds to teachers across the state and to restricting schools from directing resources to areas of greatest need for their individual communities. Increasing the basic allotment is always the most fair and efficient way to distribute additional funding to school districts with the added benefit of automatically increasing compensation for teachers.

Issue: Mentor Allotment Cap

As the filed version of the bill reads, a district will only receive a mentor allotment for up to 40 mentors regardless of the size of the district. This number may work for some districts, but larger districts with high turnover rates and higher numbers of novice teachers will have to fund these mentors with little to no additional support. Again, increasing the basic allotment allows school districts to address their needs of preparing their novice teachers without the constraints of additional allotments.

Our organizations have long believed in the partnership required between school boards, school staff, teachers, parents, and community members to ensure student success. This is why we respectfully ask that HB 11 seek to relieve the burdens felt by teachers by raising pay through the basic allotment, ensuring the longevity of the Teacher Retirement System, and decreasing the many mandates and reporting required of teachers. We stand ready to support the Committee in any work that helps improve the ideals and aspirations reflected in HB 11 for all teachers, students, and schools.

Sincerely,



Texas Association of School Boards

Whitney P. Broughton



Crystal White, TACS



Mark Terry, TEPSA



Casey McCreary, TASA