

1-1 By: González of El Paso, Harris, Ramos H.B. No. 159  
 1-2 (Senate Sponsor - Lucio)  
 1-3 (In the Senate - Received from the House May 5, 2021;  
 1-4 May 10, 2021, read first time and referred to Committee on  
 1-5 Education; May 14, 2021, reported favorably by the following vote:  
 1-6 Yeas 8, Nays 2; May 14, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor	X			
1-9 Lucio	X			
1-10 Bettencourt	X			
1-11 Hall	X			
1-12 Hughes			X	
1-13 Menéndez	X			
1-14 Paxton	X			
1-15 Perry		X		
1-16 Powell	X			
1-17 Schwertner		X		
1-18 West	X			

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to improving training and staff development for primary  
 1-23 and secondary educators to enable them to more effectively serve  
 1-24 all students.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 21.001, Education Code, is amended by  
 1-27 adding Subdivision (4) to read as follows:

1-28 (4) "Student with a disability" means a student who  
 1-29 is:

1-30 (A) eligible to participate in a school  
 1-31 district's special education program under Section 29.003;

1-32 (B) covered by Section 504, Rehabilitation Act of  
 1-33 1973 (29 U.S.C. Section 794); or

1-34 (C) covered by the Individuals with Disabilities  
 1-35 Education Act (20 U.S.C. Section 1400 et seq.).

1-36 SECTION 2. Section 21.044, Education Code, is amended by  
 1-37 amending Subsections (a), (b), (c-1), and (g) and adding Subsection  
 1-38 (a-1) to read as follows:

1-39 (a) The board shall propose rules:

1-40 (1) specifying what each educator is expected to know  
 1-41 and be able to do, particularly with regard to students with  
 1-42 disabilities;

1-43 (2) establishing the training requirements a person  
 1-44 must accomplish to obtain a certificate, enter an internship, or  
 1-45 enter an induction-year program; and

1-46 (3) specifying[. The board shall specify] the minimum  
 1-47 academic qualifications required for a certificate.

1-48 (a-1) Any training requirements for a certificate specified  
 1-49 under Subsection (a) must require that the person demonstrate:

1-50 (1) basic knowledge of:

1-51 (A) each disability category under the  
 1-52 Individuals with Disabilities Education Act (20 U.S.C. Section 1400  
 1-53 et seq.) and how each category can affect student learning and  
 1-54 development; and

1-55 (B) conditions that may be considered a  
 1-56 disability under Section 504, Rehabilitation Act of 1973 (29 U.S.C.  
 1-57 Section 794), and how a condition covered by that section can affect  
 1-58 student learning and development;

1-59 (2) competence in the use of proactive instructional  
 1-60 planning techniques that:

1-61 (A) provide flexibility in the ways:

2-1 (i) information is presented;  
 2-2 (ii) students respond or demonstrate  
 2-3 knowledge and skills; and  
 2-4 (iii) students are engaged;  
 2-5 (B) reduce barriers in instruction;  
 2-6 (C) provide appropriate accommodations,  
 2-7 supports, and challenges; and  
 2-8 (D) maintain high achievement expectations for  
 2-9 all students, including students with disabilities and students of  
 2-10 limited English proficiency; and  
 2-11 (3) competence in the use of evidence-based inclusive  
 2-12 instructional practices, including:  
 2-13 (A) general and special education collaborative  
 2-14 and co-teaching models and approaches;  
 2-15 (B) multitiered systems of support, including  
 2-16 response to intervention strategies, classroom and school level  
 2-17 data-based collaborative structures, and evidence-based strategies  
 2-18 for intervention and progress monitoring systems in academic areas;  
 2-19 (C) classroom management techniques using  
 2-20 evidence-based behavioral intervention strategies and supports;  
 2-21 and  
 2-22 (D) appropriate adaptation strategies, including  
 2-23 accommodations, modifications, and instruction in the use of  
 2-24 assistive technology for instruction.  
 2-25 (b) The ~~[Any]~~ minimum academic qualifications for a  
 2-26 certificate specified under Subsection (a) ~~[that require a person~~  
 2-27 ~~to possess a bachelor's degree]~~ must ~~[also]~~ require that the person  
 2-28 receive, as part of the training required to obtain that  
 2-29 certificate, instruction in detection and education of students  
 2-30 with dyslexia.  
 2-31 (c-1) The ~~[Any]~~ minimum academic qualifications for a  
 2-32 certificate specified under Subsection (a) ~~[that require a person~~  
 2-33 ~~to possess a bachelor's degree]~~ must ~~[also]~~ require that the person  
 2-34 receive, as part of the training required to obtain that  
 2-35 certificate, instruction regarding mental health, substance abuse,  
 2-36 and youth suicide. The instruction required must:  
 2-37 (1) be provided through:  
 2-38 (A) a program selected from the list of  
 2-39 recommended best practice-based programs and research-based  
 2-40 practices established under Section 38.351; or  
 2-41 (B) a course offered by any accredited public or  
 2-42 private postsecondary educational institution as part of a degree  
 2-43 program; and  
 2-44 (2) include effective strategies, including  
 2-45 de-escalation techniques and positive behavioral interventions and  
 2-46 supports, for teaching and intervening with students with mental  
 2-47 health conditions or who engage in substance abuse.  
 2-48 (g) Each educator preparation program must provide  
 2-49 information regarding:  
 2-50 (1) the skills that educators are required to possess,  
 2-51 the responsibilities that educators are required to accept, and the  
 2-52 high expectations for all students, including students with  
 2-53 disabilities, in this state;  
 2-54 (2) the effect of supply and demand forces on the  
 2-55 educator workforce in this state;  
 2-56 (3) the performance over time of the educator  
 2-57 preparation program;  
 2-58 (4) the importance of building strong classroom  
 2-59 management skills;  
 2-60 (5) the framework in this state for teacher and  
 2-61 principal evaluation, including the procedures followed in  
 2-62 accordance with Subchapter H; and  
 2-63 (6) appropriate relationships, boundaries, and  
 2-64 communications between educators and students.  
 2-65 SECTION 3. Section 21.0443(b), Education Code, is amended  
 2-66 to read as follows:  
 2-67 (b) To be eligible for approval or renewal of approval, an  
 2-68 educator preparation program must:  
 2-69 (1) incorporate proactive instructional planning

3-1 techniques throughout course work and across content areas using a  
 3-2 framework that:  
 3-3 (A) provides flexibility in the ways:  
 3-4 (i) information is presented;  
 3-5 (ii) students respond or demonstrate  
 3-6 knowledge and skills; and  
 3-7 (iii) students are engaged;  
 3-8 (B) reduces barriers in instruction;  
 3-9 (C) provides appropriate accommodations,  
 3-10 supports, and challenges; and  
 3-11 (D) maintains high achievement expectations for  
 3-12 all students, including students with disabilities and students of  
 3-13 limited English proficiency;  
 3-14 (2) integrate inclusive practices for all students,  
 3-15 including students with disabilities, and evidence-based  
 3-16 instruction and intervention strategies throughout course work,  
 3-17 clinical experience, and student teaching;  
 3-18 (3) adequately prepare candidates for educator  
 3-19 certification; and  
 3-20 (4) meet the standards and requirements of the board.

3-21 SECTION 4. Section 21.045(a), Education Code, is amended to  
 3-22 read as follows:

3-23 (a) The board shall propose rules necessary to establish  
 3-24 standards to govern the continuing accountability of all educator  
 3-25 preparation programs based on the following information that is  
 3-26 disaggregated with respect to race, sex, and ethnicity:

3-27 (1) results of the certification examinations  
 3-28 prescribed under Section 21.048(a);

3-29 (2) performance based on the appraisal system for  
 3-30 beginning teachers adopted by the board;

3-31 (3) achievement, including improvement in  
 3-32 achievement, of all students, including students with  
 3-33 disabilities, taught by beginning teachers for the first three  
 3-34 years following certification, to the extent practicable;

3-35 (4) compliance with board requirements regarding the  
 3-36 frequency, duration, and quality of structural guidance and ongoing  
 3-37 support provided by field supervisors to candidates completing  
 3-38 student teaching, clinical teaching, or an internship; and

3-39 (5) results from a teacher satisfaction survey,  
 3-40 developed by the board with stakeholder input, of new teachers  
 3-41 performed at the end of the teacher's first year of teaching.

3-42 SECTION 5. Section 21.0453(a), Education Code, is amended  
 3-43 to read as follows:

3-44 (a) The board shall require an educator preparation program  
 3-45 to provide candidates for teacher certification with information  
 3-46 concerning the following:

3-47 (1) skills and responsibilities required of teachers  
 3-48 with regard to all students, including students with disabilities;

3-49 (2) expectations for student performance, including  
 3-50 students with disabilities, based on state standards;

3-51 (3) the current supply of and demand for teachers in  
 3-52 this state;

3-53 (4) the importance of developing classroom management  
 3-54 skills; and

3-55 (5) the state's framework for appraisal of teachers  
 3-56 and principals.

3-57 SECTION 6. Section 21.046(b), Education Code, is amended to  
 3-58 read as follows:

3-59 (b) The qualifications for certification as a principal  
 3-60 must be sufficiently flexible so that an outstanding teacher may  
 3-61 qualify by substituting approved experience and professional  
 3-62 training for part of the educational requirements. Supervised and  
 3-63 approved on-the-job experience in addition to required internship  
 3-64 shall be accepted in lieu of classroom hours. The qualifications  
 3-65 must emphasize:

3-66 (1) instructional leadership, including the ability  
 3-67 to create an inclusive school environment and to foster parent  
 3-68 involvement;

3-69 (2) administration, supervision, and communication

- 4-1 skills;
- 4-2 (3) curriculum and instruction management, including
- 4-3 curriculum and instruction management for students with
- 4-4 disabilities;
- 4-5 (4) performance evaluation;
- 4-6 (5) organization; and
- 4-7 (6) fiscal management.

4-8 SECTION 7. Section 21.047(c), Education Code, is amended to  
4-9 read as follows:

4-10 (c) A center may develop and implement a comprehensive  
4-11 field-based educator preparation program to supplement the  
4-12 internship hours required in Section 21.050. This comprehensive  
4-13 field-based teacher program must:

4-14 (1) be designed on the basis of current research into  
4-15 state-of-the-art teaching practices applicable to all students,  
4-16 including students with disabilities, curriculum theory and  
4-17 application within diverse student populations, evaluation of  
4-18 student outcomes, and the effective application of technology; and

4-19 (2) have rigorous internal and external evaluation  
4-20 procedures that focus on content, delivery systems, and teacher and  
4-21 student outcomes.

4-22 SECTION 8. Sections 21.051(b) and (f), Education Code, are  
4-23 amended to read as follows:

4-24 (b) Before a school district may employ a candidate for  
4-25 certification as a teacher of record and, except as provided by  
4-26 Subsection (b-1), after the candidate's admission to an educator  
4-27 preparation program, the candidate must complete at least 15 hours  
4-28 of field-based experience in which the candidate is actively  
4-29 engaged in instructional or educational activities involving a  
4-30 diverse student population that, to the greatest extent  
4-31 practicable, includes students with disabilities under supervision  
4-32 at:

4-33 (1) a public school campus accredited or approved for  
4-34 the purpose by the agency; or

4-35 (2) a private school recognized or approved for the  
4-36 purpose by the agency.

4-37 (f) The board shall propose rules providing flexible  
4-38 options for persons for any field-based experience or internship  
4-39 required for certification. The options must, to the greatest  
4-40 extent practicable, involve interaction with a diverse student  
4-41 population, including students with disabilities.

4-42 SECTION 9. Section 21.451, Education Code, is amended by  
4-43 adding Subsection (a-2) to read as follows:

4-44 (a-2) In designing the staff development described by  
4-45 Subsection (a), a school district must use procedures that, to the  
4-46 greatest extent possible, ensure the training included in the staff  
4-47 development:

4-48 (1) incorporates proactive instructional planning  
4-49 techniques using a framework that:

4-50 (A) provides flexibility in the ways:

4-51 (i) information is presented;

4-52 (ii) students respond or demonstrate  
4-53 knowledge and skills; and

4-54 (iii) students are engaged;

4-55 (B) reduces barriers in instruction;

4-56 (C) provides appropriate accommodations,  
4-57 supports, and challenges; and

4-58 (D) maintains high achievement expectations for  
4-59 all students, including students with disabilities and students of  
4-60 limited English proficiency; and

4-61 (2) integrates inclusive and evidence-based  
4-62 instructional practices for all students, including students with  
4-63 disabilities.

4-64 SECTION 10. This Act takes effect September 1, 2021.

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