

ATPE Legislative Committee Report

May 2024

Prepared by Monty Exter

The ATPE Legislative Committee met six times via Zoom between November 2023 and April 2024. The committee is composed of one member from each region as follows: Chair Gayle Sampley, Humble, and committee members Angie Armendariz, Ysleta; Joy Barreras, Liberty Hill; Meredith Bowman, Fort Worth; Christopher Douglas, Cameron; Hayli Hassell, Amarillo; Phyllis Jarzombek, Falls City; Eddie Hill, Tyler; Karen Hill, Pecos-Barstow-Toyah; Opal Mobbs, Abilene; Rose Perez, Corpus Christi; Ana Laura Ramos, Roma; Tamara Richards, Beaumont; Shelia Slider, Powderly; Cathy Stolle, Hobson; Dustin Swatzell, Vernon; Karen Thompson, Ballinger; Nattina Wilkerson, Waco; and Melanie Willett, McKinney. Over the course of those meetings, the committee studied the content and structure of the current legislative program, discussed the need to update the program's organization, drafted a proposed preamble to the program, chose five broad thematic subheadings, reorganized the current program under those subheadings, and made limited substantive changes to the program's content. Each of the 20 committee members attended and participated in the majority of the committee meetings.

During its final meeting April 11, the ATPE Legislative Committee considered and adopted recommendations for the 2024-25 ATPE Legislative Program. In addition to the voting members of the committee, the following were also in attendance: ATPE State President Jayne Serna, State Treasurer Eli Rodriguez, ATPE member and invited guest James Ellis, and ATPE staff members Monty Exter and Jennifer Mitchell.

The chair called the meeting to order at 7 p.m. A quorum was present. Prior to voting on the proposed program, the chair walked the committee through the handful of substantive changes to the program. Between the prior meeting, at which the proposed changes had been offered by committee members, and the final meeting, the committee had had an opportunity to submit any questions or concerns via email, as well as express support or opposition for the change. Because it was the chair's intention to have the committee vote on the proposed program as a whole, the chair wanted to give the committee an opportunity to have any final questions or comments addressed before the vote. After questions and comments were addressed with the assistance of ATPE Governmental Relations Director Monty Exter, the committee voted unanimously, first, to expire the current legislative program, and second, to adopt the proposed legislative program.

After voting to recommend adoption of the proposed program, the committee voted to give its chair authority to approve the final committee report for presentation to the ATPE Board of Directors and House of Delegates.

The meeting adjourned at 7:36 p.m.

*Respectfully submitted,
Gayle Sampley, Chair*

Committee Recommendation: Expire the current ATPE Legislative Program.

Rationale: Although the content remains largely the same, the reorganization of the ATPE Legislative Program made formatting the changes as a simple amendment to the existing program unwieldy if not unworkable; therefore, to aid readability for the ATPE Board of Directors and House of Delegates, the committee has chosen to recommend expiring the legislative program in its current format before adopting the proposed program in its new format.

(1) Educator recruitment and retention

~~ATPE supports mandatory state-funded and research-based mentoring programs for beginning educators. ATPE recommends that the state compensate mentors and give them sufficient training and resources to be successful. ATPE supports efforts to match beginning educators with the most suitable mentors for their unique needs. ATPE recommends that the state fund programs to reduce the financial burden on educators pursuing certification and to recruit and retain educators in shortage areas.~~

~~ATPE recommends that the state provide a plan for full vesting upon retirement for health insurance benefits as an incentive to retain experienced educators.~~

~~ATPE supports a state-funded buyback or reimbursement plan for accumulated state personal leave.~~

~~ATPE supports providing an increase in the Teacher Retirement System (TRS) multiplier for educators who remain in the profession beyond their eligibility for full retirement.~~

~~ATPE supports improving educator compensation as a tool for recruitment and retention.~~

(2) Collaborative working environment

~~ATPE supports a governance structure for schools that encourages a collaborative working environment between educators and local school board members.~~

~~ATPE recommends that districts/the state:~~

- ~~a.— Establish ethics standards for all local school board members.~~
- ~~b.— Require full public notification when a local district considers or requests waivers.~~
- ~~c.— Strengthen the site-based decision-making (SBDM) process to ensure that state SBDM laws are effectively implemented.~~

~~Such measures should:~~

- ~~1.— Hold all participants accountable for their roles and responsibilities, including timely release of school board communications.~~
- ~~2.— Support majority representation by certified teachers on SBDM committees.~~
- ~~3.— Establish an appeals process to the local school board.~~

(3) Collective bargaining

~~ATPE supports Texas' remaining a right-to-work state.~~

~~ATPE opposes collective bargaining and the exclusive representation of employees being granted to only one employee organization in a school district.~~

~~ATPE supports the adoption of inclusive consultation policies by local school districts.~~

~~(4) Certification and assignment~~

~~ATPE supports a state certification process that ensures educators are appropriately trained and certified exclusively by the state.~~

~~ATPE supports allowing for an appeal of any decision that would deny educator certification to a qualified individual.~~

~~ATPE recommends that the state:~~

- ~~a. Promote high-quality teacher preparation programs that include policies and practices designed to ensure that new teachers receive the training they need to successfully enter the teaching profession.~~
- ~~b. Increase the standards for entrance into the profession, and provide adequate mentoring and educator-candidate support.~~
- ~~c. Require comprehensive pedagogical training, including classroom and discipline management, child and adolescent psychology, and methods courses.~~
- ~~d. Require coursework in the areas of reading, special education, gifted/talented, ESL, and computer literacy.~~
- ~~e. To the extent practicable, limit the assignment of temporarily certified and uncertified staff as a teacher of record.~~
- ~~f. Require administrators to have at least five years of relevant classroom teaching experience.~~
- ~~g. Require initial administrator certification and assignments to correlate with teaching experience to the extent possible, such as considerations in grade band experience.~~
- ~~h. Require districts to assign teachers to virtual, in-person, or hybrid instructional settings in a manner that respects the choice of the teacher, the teacher's certification, the need for safety, and the optimum learning environment for the students.~~

~~(5) State Board for Educator Certification (SBEC)~~

~~ATPE supports the maintenance of a separate, independent state board that allows educators to govern their own profession and enforce the Educator Code of Ethics.~~

~~ATPE recommends that a majority of the board's voting members be public educators elected by the profession. The board should reflect the diversity of the profession.~~

~~ATPE recommends public school employees not be held responsible for the cost of criminal background checks and that appropriate safeguards be maintained to protect the confidentiality of results.~~

~~(6) State Board of Education (SBOE)~~

~~ATPE opposes any legislation that would make the entire board subject to appointment by the governor.~~

~~ATPE supports legislation to allow board members to elect their own chairman and to require that the chairman have a background in public education, preferably as a certified educator.~~

~~ATPE recommends that all board members have public education experience.~~

(7) Safe schools

~~ATPE supports measures to ensure all educational settings are safe and secure environments where students, school employees, and volunteers can be productive.~~

~~ATPE recommends that school districts/the state:~~

- ~~a.— Make personnel standards and curriculum for all disciplinary alternative education programs commensurate with public education requirements.~~
- ~~b.— Immediately remove any student who threatens or physically assaults a school employee, a volunteer, or another student to an alternate placement as determined by district policy and in accordance with state and federal law. The student's parent or guardian should be notified immediately.~~
- ~~c.— Utilize resources to identify, deter, and/or recover students from human trafficking, gang involvement, and/or substance abuse.~~
- ~~d.— Require accurate coding and reporting of incidents at schools.~~
- ~~e.— Require comprehensive training for all staff in Chapter 37 (relating to student discipline) as well as annual notification of and/or updates on campus-level procedures regarding compliance with Chapter 37 of the Texas Education Code.~~
- ~~f.— Require suicide prevention training and coping assistance for all school personnel.~~
- ~~g.— Require schools to develop local policies regarding age-appropriate active shooter training for staff and students.~~
- ~~h.— Ensure students have adequate access to trained and certified school nurses, counselors, and mental health resources.~~

(8) Class size

~~ATPE supports reduced class sizes and caseload limitations that are mandated and enforced by the state for all grade levels and instructional settings to allow for optimal learning environments.~~

~~ATPE recommends that the state limit class size waivers and require full public disclosure of requests for class size waivers.~~

(9) Curriculum

~~ATPE supports comprehensive instruction in all grade levels that prepares Texas students for success throughout their public school years as well as in post-secondary and career opportunities. ATPE recommends that school districts/the state:~~

- ~~a.— Ensure that state curriculum standards are developmentally appropriate for all grade levels and content areas.~~
- ~~b.— Allow teachers and administrators to determine the appropriate content and/or methodology of curriculum and education programs, including e-learning programs.~~
- ~~c.— Require one year of mandatory attendance in an accredited kindergarten program in order for students to be eligible to enter first grade.~~
- ~~d.— Require that children entering kindergarten be five years old on or before July 1.~~

- e.— Expand and equitably fund career and technology programs.
- f.— Provide all students with adequately trained personnel and the most appropriate placement to meet their needs.
- g.— Recommend that any changes to graduation requirements be made with full consideration of the need for a well-rounded curriculum and student choice.
- h.— Ensure that the State Board of Education incorporates educator input whenever the Texas Essential Knowledge and Skills or graduation requirements are revised.
- i.— Make curriculum for all alternative education programs commensurate with public education requirements.
- j.— Provide current instructional materials in sufficient quantities to teachers and students.
- k.— Ensure that teachers have timely access to training in the use of new instructional materials.
- l.— Ensure that state curriculum standards support the social, emotional, personal, and academic growth of students.

(10) Grading policies

ATPE opposes policies and practices that do not give deference to an educator's professional discretion in assessing the progress of their students.

(11) Testing

ATPE supports a testing and accountability system developed with educator input that maximizes student learning and helps educators meet the individual needs of students.

ATPE opposes the use of high-stakes tests as the sole measure of student achievement.

ATPE recommends that the state:

- a.— Provide all manipulative instruments and necessities mandatory for the completion of statewide assessments at the beginning of each school year.
- b.— Allow appropriate modifications and/or accommodations on statewide assessments for English Language Learners (ELLs), special education students, and students served by Section 504.
- c.— Support state and locally developed alternative assessment instruments provided that teachers are afforded additional and adequate resources to undertake assessment development.
- d.— Ensure that any online testing for state assessments is fully funded by the state, is tested and operational for each school district, and allows appropriate modifications and/or accommodations for students.
- e.— Support a set schedule for releasing all implemented state-required assessments.
- f.— Allow for flexibility in determining when ELLs are required to be assessed in English.
- g.— Not require state-developed end-of-course exams to be included in a course grade.
- h.— Reduce the amount of mandated tests at all school levels.

(12) Accountability

~~ATPE recommends that curriculum remain in local control and opposes a standardized national curriculum and test being mandated.~~

~~ATPE recommends that all federal mandates be fully funded by the federal government.~~

~~ATPE recommends that accountability laws be designed to allow for educators to meet the needs of individual students.~~

~~ATPE recommends that the state's accountability and data systems, including any growth models, be based on statistically valid principles.~~

~~ATPE supports measures to ensure that persons involved in any way in the implementation and administration of the Elementary and Secondary Education Act (ESEA) make full disclosure of conflicts of interest and that all financial transactions related to the implementation and administration of ESEA be transparent.~~

(13) Professional development

~~ATPE supports quality professional development programs for all school district personnel. Programs should be offered at no cost, and be made easily accessible.~~

~~ATPE recommends that school districts/the state:~~

- ~~a. Require site-based decision-making (SBDM) committees to determine how staff development days are used in accordance with campus needs.~~
- ~~b. Offer comprehensive staff development in areas including but not limited to special education, school law, gifted/talented education, English as a Second Language (ESL), crisis management, discipline, school safety, and cultural awareness.~~
- ~~c. Accept and approve all State Board for Educator Certification (SBEC) approved professional development for credit by all school districts.~~
- ~~d. Foster the development of interactive professional development learning communities.~~

(14) Home schooling and private schooling

~~ATPE opposes any voucher program, including a tuition tax credit, education savings account, or any other such program, that would direct public funds to private, home, or for-profit virtual schools.~~

(15) University Interscholastic League

~~ATPE opposes any legislation that would abolish the UIL or require it to open its membership to all private and home schools.~~

~~ATPE opposes any legislation that would eliminate the athletic period from the school day or abolish "No Pass, No Play" standards.~~

~~ATPE opposes legislation that would permit schools to employ coaches who are not full-time employees of the district.~~

~~ATPE opposes legislation that would allow parents to perform eligibility checks.~~

~~(16) Charter schools~~

~~ATPE recommends that laws regulating charter and traditional public schools be drafted to encourage both systems to coexist in an efficient manner and that charter laws not increase fiscal, academic, or other burdens on traditional public schools.~~

~~ATPE recommends that the state adhere to a rigorous authorization process when granting charters.~~

~~ATPE recommends that the state require charter schools to meet appropriate financial accountability and academic performance standards before allowing them to continue or expand.~~

~~ATPE supports employees of charter schools having applicable certification requirements, standards, rights, and benefits commensurate with employees of traditional public schools.~~

~~ATPE recommends that charter governing board members receive training commensurate with training required for public school board members.~~

~~ATPE recommends that the UIL, Legislature, commissioner of education, and State Board of Education prevent unfair recruitment by charter schools.~~

~~ATPE recommends that the Texas Education Agency prohibit charter schools from creating exclusionary-expulsion or enrollment policies.~~

~~(17) Windham School District and Texas Juvenile Justice Department~~

~~ATPE supports the goals established for the Windham School District (WSD) and the Texas Juvenile Justice Department (TJJD). Educators employed by those entities should have certification requirements, standards, rights, and benefits commensurate with other public school district educators. ATPE supports the inclusion of WSD and TJJD teachers' input before any legislative changes are made that affect these school systems.~~

~~(18) Parental, business, and community involvement~~

~~ATPE supports programs that encourage parental, business, and community involvement in the education of all students.~~

~~ATPE recommends that the state encourage employers, including school districts, to provide release time for parents to participate in school/parental involvement activities.~~

~~ATPE recommends that all Texas legislators, especially those serving on committees dealing with~~

~~educational issues, spend time each year in classrooms in school districts of varying sizes and socioeconomic backgrounds throughout the state in order to gain firsthand knowledge of the inner workings of Texas public schools.~~

~~(19) Texas public education system~~

~~ATPE supports a public education funding system that is equitable and adequate to provide every student an equal opportunity to receive an exemplary public education. ATPE also supports any form of state revenue enhancement and tax restructuring that accomplishes this goal.~~

~~(20) Permanent School Fund~~

~~ATPE supports a management strategy that provides transparency and maintains the security and growth of the Permanent School Fund while maintaining the integrity of the distribution method applied to the Available School Fund.~~

~~(21) Contracts and due process~~

~~ATPE supports vigorous enforcement of equitable educator contract laws and due process laws regarding teacher assignment, transfer, hiring, and dismissal, including requirements for independent hearing examiners.~~

~~ATPE supports having optimal grievance policies and processes at campus, school district, and state levels.~~

~~(22) Paraprofessionals~~

~~ATPE supports a state minimum salary schedule for all paraprofessionals employed by the school district as well as duty free lunches, due process, basic notification, and reasons for employment termination considerations.~~

~~(23) Compensation and benefits package~~

~~ATPE believes that education is a profession and that educational professionals should be compensated in a manner that reflects the professional nature of the field.~~

~~ATPE supports a career compensation and benefits package for all certified, licensed, and contracted public school employees that mandates competitive salaries that are equal to or greater than the national average and competitive with private industry. The state program should include a minimum salary schedule that provides for regular increases over the entirety of an educator's career to recognize longevity in the profession.~~

~~ATPE supports full state funding for compensation and benefit increases that districts are required to pass on to individual educators in the exact amount funded without any loss of local supplement.~~

~~ATPE recommends that the state prohibit districts from substantially reducing an employee's effective rate of pay through the imposition of additional duties outside the classroom or extension of the school day, week, or year.~~

~~The state should prohibit school districts from making changes to local policy after the deadline for resignation if those changes would reduce educators' compensation or benefits.~~

(24) Differentiated pay

~~In addition to minimum salaries, ATPE supports differentiated pay in the form of step increases or stipends for public educators who undertake advanced certification/training, advanced coursework or degrees, or other professional duties that they are required to perform outside normal instructional activities.~~

(25) Performance-based decisions

~~ATPE opposes the use of student performance, including test scores as the primary measure of a teacher's effectiveness, as the determining factor for a teacher's compensation or as the primary rationale for an adverse employment action.~~

~~ATPE believes students' state-level standardized test scores should not be a component of teacher evaluations until such time as they can be validated through a consensus of independent research and peer review for that purpose.~~

~~ATPE opposes the use of value-added measurement at the individual teacher level for teacher evaluation purposes or decisions about continued employment of teachers.~~

~~ATPE supports incorporating measures of student growth at the campus level or higher into evaluations of educators as long as the measures are developed with educator input, piloted, and deemed statistically reliable.~~

~~ATPE opposes incentive or performance pay programs unless they are designed in an equitable and fair manner as determined by educators on a campus basis.~~

~~ATPE supports the creation of a statewide set of evaluation standards for campus administrators that includes a survey of campus classroom educators and staff regarding the professional performance of the campus administrators.~~

(26) Leave policies

~~ATPE supports state standards that establish fair and equitable leave policies that respect the discretion of education professionals.~~

~~ATPE recommends that the state:~~

- ~~a. Grant full employment benefits to employees who are physically injured by students until such time as the employees return to work or, if necessary, throughout their retirement.~~

- b.—Increase the number of state personal days to 10 per year.
- c.—Grant full daily pay to employees who have been subpoenaed or called for jury duty.
- d.—Require that district policies cannot set a maximum number of consecutive days taken at less than five days.
- e.—Discourage districts from taking adverse actions against an educator on the basis of reasonable use of accrued leave.
- f.—Ensure that educators have access to adequate leave options to address their mental health and well-being.

(27) Health insurance

ATPE supports providing public school employees with high quality, competitive health insurance benefits that are fully funded by the state at a level equal to or greater than the benefits provided to state employees.

ATPE supports efforts to ensure all public school employees have affordable health insurance and access to high quality care.

(28) Teacher Retirement System

ATPE supports the dedication of all available revenue to maintain the actuarial soundness of the pension fund in order to improve benefits for all active and retired Teacher Retirement System (TRS) members.

In addition, ATPE supports an increased state contribution rate, an increase of the retirement formula multiplier, and continued control of TRS funds at the state level.

ATPE recommends that the state:

- a.—Provide for one year of state paid retirement credit for every 50 days of unused, accumulated state leave.
- b.—Require that a majority of TRS board members be educators.
- c.—Maintain the Rule of 80 formula for retirement eligibility without penalties for early age retirement.
- d.—Provide an annual cost of living increase for retired educators.
- e.—Maintain the current defined benefit pension plan for all TRS members.
- f.—Give TRS contributions the same weight as Social Security contributions for the purpose of calculating child support payments.

(29) Social Security

ATPE supports the amendment of federal law/rules to eliminate provisions that reduce retirement benefits of educators.

(30) Tax credits

ATPE supports permanent tax credits and equitable reimbursement programs for materials and items purchased by educators for use in classrooms or other education job related purposes.

(31) Payroll deduction

~~ATPE supports state standards that establish fair and equitable payroll deduction policies.~~

(32) Paperwork reduction

~~ATPE supports meaningful efforts to monitor and control the paperwork burdens on educators, including paraprofessionals.~~

(33) Regulatory exemptions, including Districts of Innovation

~~ATPE generally opposes the state granting waivers or exempting districts and campuses from provisions of the Education Code and believes that any exemptions granted should be as narrow and time-limited as possible.~~

~~ATPE believes districts should not be allowed to use exemptions in a manner that is inconsistent with the district's written and adopted DOI plan.~~

~~ATPE recommends full public disclosure of requests for waivers or exemptions.~~

~~ATPE recommends oversight be established and maintained for any waivers or exemptions.~~

(34) Consolidation

~~ATPE opposes forced consolidation of school districts or district services but supports state incentive aid for districts to consolidate or divide if either would be advantageous to an equitable and efficient education for students.~~

(35) Commissioner of Education

~~ATPE recommends that the Texas Commissioner of Education be required to have at least five years of classroom teaching experience in a pre-K through 12th grade public school setting.~~

(36) Bus driving

~~ATPE opposes requiring school district employees to obtain a bus driver's license as a condition of their employment contract unless the employee's primary assignment is that of bus driver.~~

~~ATPE recommends that school district policies regarding school bus operators' hours adhere to acceptable safety standards.~~

~~(37) Prekindergarten~~

~~ATPE supports a fully funded, optional prekindergarten program for all.~~

~~(38) Educator speech and political involvement~~

~~ATPE opposes undue restrictions that would limit the ability of educators to express their political views.~~

(39) Educator working conditions and schedules

~~ATPE urges the state and districts to promote working environments for educators that are respectful of their professionalism and autonomy.~~

~~ATPE supports efforts to ensure schools have the resources and optimal staffing, including paraprofessionals, necessary to give teachers adequate time for planning and fulfilling any other mandates of the job, including required professional development.~~

~~ATPE supports the protection and enhancement of classroom planning or preparation time for instruction.~~

Committee Recommendation: Adopt the proposed ATPE Legislative Program.

Rationale: The Legislative Committee felt that, in addition to making a handful of substantive changes (rationales for which are included below), reorganizing the program thematically, standardizing its internal structure, and formatting it with an added preamble would make the program more useful to and user-friendly for the ATPE membership, policymakers and their staffs, and the ATPE lobby team.

ATPE LEGISLATIVE PROGRAM

As the preeminent group of educators in our state, the Association of Texas Professional Educators (ATPE) seeks, in partnership with parents, public officials, and other community members, to provide current and future generations of young Texans with a free and appropriate public education. Texas students deserve the opportunity to receive a well-rounded education, including reading, writing, mathematics, social studies, science, the arts, and athletics. We believe it is the state's constitutional duty to provide adequate funding for the provision of safe, modern schools and the resources required to meet the needs of students and those who educate them. We further believe educators are the single most important resource in Texas public schools and that the state must provide the compensation and support required to attract and retain highly qualified, caring professionals.

EDUCATOR COMPENSATION

1. Compensation and benefits package

ATPE believes education is a profession and educational professionals should be compensated in a manner that reflects the professional nature of the field.

ATPE supports:

- a. Improving educator compensation as a tool for recruitment and retention.**

- b. A career compensation and benefits package for all certified, licensed, and contracted public school employees that mandates competitive salaries that are equal to or greater than the national average and competitive with private industry.
- c. A state minimum salary schedule that provides for regular increases over the entirety of an educator's career to recognize longevity in the profession.
- d. A state-funded buyback or reimbursement plan for accumulated state personal leave.
- e. Providing an increase in the Teacher Retirement System (TRS) multiplier for educators who remain in the profession beyond their eligibility for full retirement.

ATPE recommends that the state provide a plan for full vesting upon retirement for health insurance benefits as an incentive to retain experienced educators.

2. **Contracts and due process**

ATPE supports vigorous enforcement of equitable educator contract laws and due process laws regarding teacher assignment, transfer, hiring and dismissals, including requirements for independent hearing examiners.

ATPE supports having optimal grievance policies and processes at the campus, school district, and state levels.

ATPE opposes extending the use of probationary contracts beyond the use allowed under Chapter 21 of the Texas Education Code.

(Substantive change: Add "ATPE opposes extending the use of probationary contracts beyond the use allowed under Chapter 21 of the Texas Education Code.")

Rationale: In recent years, districts have begun to use the District of Innovation (DOI) designation to extend the time frame for keeping experienced educators new to the district, campus or role on a probationary contract beyond what is otherwise allowed by statute. The committee would like ATPE to formally express the association's opposition to this practice.)

3. **Differentiated pay**

In addition to minimum salaries, ATPE supports differentiated pay in the form of step increases or stipends for public educators who undertake advanced certification/training, advanced coursework or degrees, or other professional duties that they are required to perform outside normal instructional activities.

4. **Health insurance**

ATPE supports providing public school employees with high-quality competitive health insurance benefits that are fully funded by the state at a level equal to or greater than the benefits provided to state employees.

ATPE supports efforts to ensure all public school employees have affordable health insurance and access to high-quality care.

5. **Paraprofessionals**

ATPE supports a state minimum salary schedule for all paraprofessionals employed by the school district as well as duty-free lunches, due process, basic notification, and providing employees with reasons for termination of employment.

6. **Social Security**

ATPE supports the amendment of federal law/rules to eliminate provisions that reduce retirement benefits of educators.

7. **Tax credits**

ATPE supports permanent tax credits and equitable reimbursement programs for materials and items purchased by educators for use in classrooms or other education-job-related purposes.

**EDUCATOR PREPARATION, CERTIFICATION
AND PROFESSIONAL DEVELOPMENT**

8. **Certification**

ATPE supports a state certification process that ensures educators are appropriately trained and certified exclusively by the state.

ATPE supports allowing for an appeal of any decision that would deny educator certification to a qualified individual.

ATPE recommends that the state:

- a. Promote high-quality teacher preparation programs that include policies and practices designed to ensure that new teachers receive the training they need to successfully enter the teaching profession.
- b. Increase the standards for entrance into the profession and provide adequate mentoring and educator candidate support.
- c. Require comprehensive pedagogical training, including classroom and discipline management, child and adolescent psychology, and methods courses.
- d. Require coursework in the areas of reading, special education, gifted/talented, English as a Second Language (ESL), and computer literacy.

9. **Financial Aid and Tuition Reimbursement**

ATPE recommends that the state fund program to reduce the financial burden on educators pursuing certification and to recruit and retain educators in shortage areas.

10. **Mentoring**

ATPE supports mandatory state-funded and research-based mentoring programs for beginning educators.

ATPE supports efforts to match beginning educators with the most suitable mentors for their unique needs.

ATPE recommends that the state compensate mentors and give them sufficient training and resources to be successful.

11. **Professional development**

ATPE supports quality professional development programs for all school district personnel. Programs should be offered at no cost and be made easily assessable.

ATPE recommends that school districts/the state:

- a. Require site-based decision-making (SBDM) committees to determine how staff development days are used in accordance with campus needs.
- b. Offer comprehensive staff development in areas including but not limited to special education, school law, gifted/talented education, ESL, crisis management, discipline, school safety, and cultural awareness.
- c. Accept and approve all State Board for Educator Certification (SBEC) – approved professional development for credit by all school districts.
- d. Foster the development of interactive professional development learning communities.

SCHOOL ACCOUNTABILITY, GOVERNANCE AND REGULATION

12. **Accountability**

ATPE supports measures to ensure that persons involved in any way in the implementation and administration of the Elementary and Secondary Education Act (ESEA) make full disclosure of conflicts of interest and that all financial transactions related to the implementation and administration of ESEA be transparent.

ATPE recommends that:

- a. Curriculum remain in local control and objects to a standardized national curriculum and test being mandated.
- b. Accountability laws be designed to allow for educators to meet the needs of individual students.
- c. The state's accountability and data systems, including any growth models, be based on statistically valid principles.

13. **Assignment**

ATPE recommends that the state require:

- a. Administrators to have at least five years of relevant classroom teaching experience.
- b. Initial administrator certification and assignments to correlate with teaching experience to the extent possible, such as considerations in grade and experience.
- c. Districts to assign teachers to virtual, in-person, or hybrid instructional settings in a manner that respects the choice of the teacher, the teacher's certification, the need for safety and the optimum learning environment for the students.
- d. Limits on the assignment of temporarily certified and uncertified staff as a teacher of record to the extent practicable.

14. **Charter schools**

ATPE supports employees of charter schools having applicable certification requirements, standards, and benefits commensurate with employees of traditional public schools.

ATPE recommends that:

- a. Laws regulating charter and traditional public schools be drafted to encourage both systems to coexist in an efficient manner and that charter laws not increase fiscal, academic, or other burdens on traditional public schools.
- b. The state adhere to a rigorous authorization process when granting charters.
- c. The state require charter schools to meet appropriate financial accountability and academic performance standards before allowing them to continue or expand.
- d. charter governing board members receive training commensurate with training required for public school board members.
- e. The Texas Education Agency (TEA) prohibit charter schools from creating exclusionary expulsion or enrollment policies.
- f. The UIL, Legislature, commissioner of education, and State Board of Education (SBOE) prevent unfair recruitment by charter schools.

15. **Collaborative working environment**

ATPE supports a governance structure for schools that encourages a collaborative working environment between educators and local school board members.

ATPE recommends that districts/the state:

- a. Establish ethics standards for all local school board members.
- b. Require full public notification when a local district considers or requests waivers.
- c. Strengthen the site-based decision making (SBDM) process to ensure that state SBDM laws are effectively implemented. Such measures should
 - 1. Hold all participants accountable for their roles and responsibilities, including timely release of school board communications.
 - 2. Support majority representation by certified teachers on SBDM committees.
 - 3. Establish an appeals process to the local school board.

16. **Collective bargaining**

ATPE supports Texas remaining a right-to-work state.

ATPE supports the adoption of inclusive consultation policies by local school boards.

ATPE opposes collective bargaining and the exclusive representation of employees being granted to only one

employee organization in a school district.

17. **Commissioner of education**

ATPE recommends that the Texas commissioner of education be required to have at least five years of classroom teaching experience in a pre-K through 12th grade public school setting.

18. **Consolidation**

ATPE supports state incentive aid for districts to consolidate or divide if either would be advantageous to an equitable and efficient education for students.

ATPE opposes forced consolidation of school districts or district services.

19. **Payroll deduction**

ATPE supports state standards that establish fair and equitable payroll deduction policies.

20. **Regulatory exemptions, including Districts of Innovation**

ATPE believes districts should not be allowed to use exemptions in a manner that is inconsistent with the district's written and adopted Districts of Innovation plan.

ATPE recommends full public disclosure of requests for waivers or exemptions.

ATPE recommends oversight be established and maintained for any waivers or exemptions.

ATPE generally opposes the state granting waivers or exempting districts and campuses from provisions in the Education Code and believes that any exemptions granted should be as narrow and time-limited as possible.

21. **State Board for Educator Certification (SBECE)**

ATPE supports the maintenance of a separate, independent state board that allows educators to govern their own profession and enforce the Educator Code of Ethics.

ATPE recommends that a majority of the board's voting members be public educators elected by the profession. The board should reflect the diversity of the profession.

ATPE recommends public school employees not be held responsible for the cost of criminal background checks and that appropriate safeguards be maintained to protect the confidentiality of results.

22. **School safety**

ATPE supports measures to ensure all educational settings are safe and secure environments where students, school employees, and volunteers can be productive.

ATPE recommends that school districts and the state:

- a. Immediately remove any student who threatens or physically assault a school employee, a volunteer, or another student to an alternate placement as determined by district policy, and in accordance with state and federal law. The student's parent or guardian should be notified in accordance with state and federal law.

(Substantive change: Amend "The student's parent or guardian should be notified immediately" to say, "The student's parent or guardian should be notified in accordance with state and federal law.")

Rationale: The committee felt that "immediate" notification was both vague and sometimes impractical. Rather than delete the sentence altogether, as was initially recommended, the committee choose to tie the notification standard to what is required under law.)

- b. Make personnel standards and curriculum for all disciplinary alternative education programs commensurate with public education requirements.

- c. Utilize resources to identify, deter, and/or recover students from human trafficking, gang involvement, and/or substance abuse.
- d. Require accurate coding and reporting of incidents at schools.
- e. Require comprehensive training for all staff in Chapter 37 (relating to student discipline) as well as annual notification of and/or updates on campus/level procedures regarding compliance with Chapter 37 of the Texas Education Code.
- f. Require suicide prevention training and coping assistance for all school personnel.
- g. Require schools to develop local policies regarding age-appropriate active shooter training for staff and students.
- h. Ensure students have adequate access to trained and certified school nurses, counselors, and mental health resources.

23. **State Board of Education**

ATPE supports legislation to allow board members to elect their own chairman and to require that the chairman have a background in public education, preferably as a certified educator.

ATPE recommends that all board members have public education experience.

ATPE opposes any legislation that would make the entire board subject to appointment by the governor.

24. **Testing**

ATPE supports a testing and accountability system developed with educator input that maximizes student learning and helps educators meet the individual needs of students.

ATPE recommends that the state:

- a. Provide all manipulative instruments and necessities mandatory for the completion of statewide assessments at the beginning of each school year.
- b. Allow appropriate modifications and/or accommodations on statewide assessments for English Language Learners (ELLs), special education students, and students served by Section 504.
- c. Support state and locally developed alternative assessment instruments whereby teachers are afforded additional and adequate resources to undertake assessment development.
- d. Ensure that any online testing for state assessments is fully funded by the state, is tested and operational for each school district, and allows appropriate modifications and/or accommodations for students.
- e. Support a set schedule for releasing all implemented state-required assessments.
- f. Allow for flexibility in determining when ELLs are required to be assessed in English.
- g. Not require state-developed end-of-course exams to be included in a course grade.
- h. Reduce the number of mandated tests at all school levels.

ATPE opposes the use of high-stakes tests as the sole measure of student achievement.

25. **University Interscholastic League**

ATPE opposes legislation that would:

- a. Abolish the University Interscholastic League (UIL) or require it to open its membership to all private and home schools.
- b. Eliminate the athletic period from the school day or abolish "No Pass, No Play" standards.
- c. Permit schools to employ coaches who are not full-time employees of the district.
- d. Allow parents to perform eligibility checks.

26. **Windham School District and Texas Juvenile Justice Department**

ATPE believes educators employed by the Windham School District (Windham) and Texas Juvenile Justice Department (TJJD) should have certification requirements, standards, rights, and benefits commensurate with other public school district educators.

ATPE supports the goals established for the Windham and the TJJD.

ATPE supports the inclusion of Windham and TJJD teachers' input before any legislative changes are made that

affect these school systems.

SCHOOL FUNDING

27. **Federal Mandates**

ATPE recommends that all federal mandates be fully funded by the federal government.

28. **Permanent School Fund**

ATPE supports a management strategy that provides transparency and maintains the security and growth of the Permanent School Fund while maintaining the integrity of the distribution method applied to the Available School Fund.

29. **Prekindergarten**

ATPE supports a fully funded, optional prekindergarten program for all.

30. **Teacher Retirement System**

ATPE supports the dedication of all available revenue to maintain the actuarial soundness of the pension fund in order to improve benefits for all active and retired Teacher Retirement System (TRS) members.

ATPE supports an increased state contribution rate, an increase of the retirement formula multiplier, and continued control of TRS funds at the state level.

ATPE recommends that the state:

- a. Provide for one year of state-paid retirement credit for every 50 days of unused accumulated state leave.
- b. Require that a majority of TRS board members be educators.
- c. Maintain the Rule of 80 formula for retirement eligibility without penalties for early-age retirement.
- d. Provide an annual cost-of-living increase for retired teachers.
- e. Maintain the current defined benefit pension plan for all TRS members.
- f. Give TRS contributions the same weight as Social Security contributions for the purpose of calculating child support payments.

31. **Texas public education system**

ATPE supports a public education funding system that is equitable and adequate to provide every student an equal opportunity to receive an exemplary public education.

ATPE also supports any form of state revenue enhancement and tax restructuring that accomplishes this goal.

32. **Vouchers, home schooling and private schooling**

ATPE opposes any voucher program, including a tuition tax credit, education savings account, or any other such program that would direct public funds to private, home, or for-profit virtual schools.

WORKPLACE ISSUES

33. **Bus driving**

ATPE recommends that school district policies regarding school bus operators' hours adhere to acceptable safety standards.

ATPE opposes requiring school district employees to obtain a bus driver's license as a condition of their employment contract unless the employee's primary assignment is that of bus driver.

34. **Class size**

ATPE supports reduced class sizes and caseload limitations that are mandated and enforced by the state for all

grade levels and instructional settings to allow for optimal learning environments.

(Substantive change: Delete “ATPE recommends that the state limit class-size waivers and require full public disclosure of requests for class-size waivers.”)

Rationale: While the historic class-size waiver process still exists under current law, TEA no longer grants them. Instead, TEA informs districts seeking a class-size waiver to utilize the District of Innovation (DOI) process. As such, this language has become duplicative because the ATPE Legislative Program already speaks to the association’s preference for limited waivers of the education code, including class size, and full public transparency of such waivers, in the section on DOI.)

35. **Curriculum**

ATPE supports comprehensive instruction in all grade levels that prepares Texas students for success throughout their public school years as well as in post-secondary and career opportunities.

ATPE recommends that school districts/the state:

- a. Ensure that state curriculum standards are developmentally appropriate for all grade levels and content areas.
- b. Allow teachers and administrators to determine the appropriate content and/or methodology of curriculum and educational programs, including e-learning programs.
- c. Require one year of mandatory attendance in an accredited kindergarten program for students to be eligible to enter first grade.
- d. Require that children entering kindergarten should be 5 years old on or before July 1.
- e. Expand and equitably fund career and technology programs.
- f. Provide all students with adequately trained personnel and the most appropriate placement to meet their needs.
- g. Address any changes to the graduation requirements with full consideration of the need for a well-rounded curriculum and student choice.
- h. Ensure that the SBOE incorporates educator input whenever the Texas Essential Knowledge and Skills (TEKS) or graduation requirements are revised.
- i. Make curricula for all alternative education programs commensurate with public education requirements.
- j. Provide current instructional materials in sufficient quantities to teachers and students.
- k. Ensure that teachers have timely access to training in the use of new instructional materials.
- l. Ensure that state curriculum standards support the social, emotional, personal, and academic growth of students.

36. **Educator speech and political involvement**

ATPE opposes undue restrictions that would limit the ability of educators to express their political views.

37. **Educator working conditions and schedules.**

ATPE supports:

- a. State and district initiatives that promote working environments for educators that are respectful of their professionalism and autonomy.
- b. Efforts to ensure schools have the resources and optimal staffing, including paraprofessionals, necessary to give teachers adequate time for planning and fulfilling any other mandates of the job including required professional development.
- c. The protection and enhancement of individual classroom planning or preparation time for instruction.

(Substantive change: Amend subsection c by adding the word “individual” before “classroom planning or preparation time.”)

Rationale: While the committee recognizes and supports the benefits of group preparation and planning time, such as professional learning communities (PLCs), they feel that time dedicated to group planning and preparation should not supplant guaranteed time for individual planning and preparation.)

38. **Grading policies**

ATPE opposes policies and practices that do not give deference to an educator's professional discretion in assessing the progress of his/her students.

39. **Leave policies**

ATPE supports state standards that establish fair and equitable leave policies that respect the discretion of education professionals.

ATPE recommends that the state:

- a. Ensure that educators have access to adequate leave options to address their mental health and well-being.
- b. Grant full employment benefits to employees who are physically injured by students until such time as the employees return to work or, if necessary, throughout their retirement.
- c. Increase the number of state personal days to ten per year.
- d. Grant full daily pay to employees who have been subpoenaed or called for jury duty.
- e. Require that district policies cannot set a maximum number of consecutive days taken at less than five days.
- f. Discourage districts from taking adverse actions against an educator based on reasonable use of accrued leave.
- g. Discourage districts from prohibiting the use of leave by all employees on a particular day or days or taking adverse actions against an educator based on reasonable use of accrued leave.

(Substantive change: Amend "Discourage districts from taking adverse actions against an educator on the basis of reasonable use of accrued leave" to say, "Discourage districts from prohibiting the use of leave by all employees on a particular day or days or taking adverse actions against an educator based on reasonable use of accrued leave.")

Rationale: The committee wished to express its desire that the state discourage districts from using the practice of having "blackout" days on which all employee are automatically banned from using their earned leave.)

40. **Paperwork reduction**

ATPE supports meaningful efforts to monitor and control the paperwork burdens on educators, including paraprofessionals.

41. **Parental, business, and community involvement**

ATPE supports programs that encourage parental, business, and community involvement in the education of all students.

ATPE recommends that the state encourage employers, including school districts, provide release time for parents to participate in school/parental involvement activities.

ATPE recommends that all Texas legislators, especially those serving on committees dealing with educational issues, spend time each year in classrooms in school districts of varying sizes and socioeconomic backgrounds throughout the state in order to gain firsthand knowledge of the inner workings of Texas public schools.

42. **Performance-based decisions**

ATPE believes students' state-level standardized test scores should not be a component of teacher evaluations until such time as they can be validated through a consensus of independent research and peer review for that purpose.

ATPE supports incorporating measures of student growth at the campus level or higher into evaluations of educators if the measures are developed with educator input, piloted, or deemed statistically reliable.

ATPE supports the creation of a statewide set of evaluation standards for campus administrators that includes a survey of campus classroom educators and staff regarding the professional performance of the campus administrators.

ATPE opposes:

- a. The use of student performance, including test scores, as the primary measure of a teacher's effectiveness, as the determining factor for a teacher's compensation, or as the primary rationale for an adverse employment action.
- b. The use of value-added measurement at the individual teacher level for teacher evaluation purposes or decisions about continued employment of teachers.
- c. Incentive or performance pay programs unless they are designed in an equitable and fair manner as determined by educators on a campus basis.