

AN ACT

relating to the preparation, certification, and classification of
and professional development for public school educators.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 21.001, Education Code, is amended to
read as follows:

Sec. 21.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

(1) "Commissioner" [~~,"commissioner"~~] includes a
person designated by the commissioner.

(2) "Digital learning" means any type of learning that
is facilitated by technology or instructional practice that makes
effective use of technology.

(3) "Digital literacy" means having the knowledge and
ability to use a range of technology tools for varied purposes. The
term includes the capacity to use, understand, and evaluate
technology for use in education settings.

SECTION 2. Section 21.043, Education Code, is amended to
read as follows:

Sec. 21.043. ACCESS TO PEIMS DATA. (a) The agency shall
provide the board with access to data obtained under the Public
Education Information Management System (PEIMS).

(b) The agency shall provide educator preparation programs
with data based on information reported through the Public
Education Information Management System (PEIMS) that enables an

1 educator preparation program to:

2 (1) assess the impact of the program; and

3 (2) revise the program as needed to improve the design
4 and effectiveness of the program.

5 (c) The agency in coordination with the board shall solicit
6 input from educator preparation programs to determine the data to
7 be provided to educator preparation programs.

8 SECTION 3. Section 21.044, Education Code, is amended by
9 adding Subsections (c-2) and (f-1) to read as follows:

10 (c-2) Any minimum academic qualifications for a certificate
11 specified under Subsection (a) that require a person to possess a
12 bachelor's degree must also require that the person receive, as
13 part of the training required to obtain that certificate,
14 instruction in digital learning, including a digital literacy
15 evaluation followed by a prescribed digital learning curriculum.
16 The instruction required must:

17 (1) be aligned with the International Society for
18 Technology in Education's standards for teachers;

19 (2) provide effective, evidence-based strategies to
20 determine a person's degree of digital literacy; and

21 (3) include resources to address any deficiencies
22 identified by the digital literacy evaluation.

23 (f-1) Board rules addressing ongoing educator preparation
24 program support for a candidate seeking certification in a
25 certification class other than classroom teacher may not require
26 that an educator preparation program conduct one or more formal
27 observations of the candidate on the candidate's site in a

1 face-to-face setting. The rules must permit each required formal
2 observation to occur on the candidate's site or through use of
3 electronic transmission or other video-based or technology-based
4 method.

5 SECTION 4. Section 21.045, Education Code, is amended by
6 adding Subsection (d) to read as follows:

7 (d) To assist an educator preparation program in improving
8 the design and effectiveness of the program in preparing educators
9 for the classroom, the agency shall provide to each program data
10 that is compiled and analyzed by the agency based on information
11 reported through the Public Education Information Management
12 System (PEIMS) relating to the program.

13 SECTION 5. Subchapter B, Chapter 21, Education Code, is
14 amended by adding Section 21.0489 to read as follows:

15 Sec. 21.0489. EARLY CHILDHOOD CERTIFICATION. (a) To
16 ensure that there are teachers with special training in early
17 childhood education focusing on prekindergarten through grade
18 three, the board shall establish an early childhood certificate.

19 (b) A person is not required to hold a certificate
20 established under this section to be employed by a school district
21 to provide instruction in prekindergarten through grade three.

22 (c) To be eligible for a certificate established under this
23 section, a person must:

24 (1) either:

25 (A) satisfactorily complete the course work for
26 that certificate in an educator preparation program, including a
27 knowledge-based and skills-based course of instruction on early

1 childhood education that includes:

2 (i) teaching methods for:

3 (a) using small group instructional
4 formats that focus on building social, emotional, and academic
5 skills;

6 (b) navigating multiple content
7 areas; and

8 (c) managing a classroom environment
9 in which small groups of students are working on different tasks;
10 and

11 (ii) strategies for teaching fundamental
12 academic skills, including reading, writing, and numeracy; or

13 (B) hold an early childhood through grade six
14 certificate issued under this subchapter and satisfactorily
15 complete a course of instruction described by Paragraph (A);

16 (2) perform satisfactorily on an early childhood
17 certificate examination prescribed by the board; and

18 (3) satisfy any other requirements prescribed by the
19 board.

20 (d) The criteria for the course of instruction described by
21 Subsection (c)(1)(A) shall be developed by the board in
22 consultation with faculty members who provide instruction at
23 institutions of higher education in educator preparation programs
24 for an early childhood through grade six certificate.

25 SECTION 6. Section 21.051, Education Code, is amended by
26 amending Subsection (b) and adding Subsection (b-1) to read as
27 follows:

1 (b) Before a school district may employ a candidate for
2 certification as a teacher of record and, except as provided by
3 Subsection (b-1), after the candidate's admission to an educator
4 preparation program, the candidate must complete at least 15 hours
5 of field-based experience in which the candidate is actively
6 engaged in instructional or educational activities under
7 supervision at:

8 (1) a public school campus accredited or approved for
9 the purpose by the agency; or

10 (2) a private school recognized or approved for the
11 purpose by the agency.

12 (b-1) A candidate may satisfy up to 15 hours of the
13 field-based experience requirement under Subsection (b) by serving
14 as a long-term substitute teacher as prescribed by board rule.
15 Experience under this subsection may occur after the candidate's
16 admission to an educator preparation program or during the two
17 years before the date the candidate is admitted to the program. The
18 candidate's experience in instructional or educational activities
19 must be documented by the educator preparation program and must be
20 obtained at:

21 (1) a public school campus accredited or approved for
22 the purpose by the agency; or

23 (2) a private school recognized or approved for the
24 purpose by the agency.

25 SECTION 7. Section [21.052](#), Education Code, is amended by
26 adding Subsection (a-1) and amending Subsection (e) to read as
27 follows:

1 (a-1) The commissioner may adopt rules establishing
2 exceptions to the examination requirements prescribed by
3 Subsection (a)(3) for an educator from outside the state to obtain a
4 certificate in this state.

5 (e) An educator who has submitted all documents required by
6 the board for certification and who receives a temporary
7 certificate as provided by Subsection (c) [~~(a)~~] must perform
8 satisfactorily on the examination prescribed under Section 21.048
9 not later than the first anniversary of the date the board completes
10 the review of the educator's credentials and informs the educator
11 of the examination or examinations under Section 21.048 on which
12 the educator must perform successfully to receive a standard
13 certificate.

14 SECTION 8. Sections 21.054(d) and (e), Education Code, are
15 amended to read as follows:

16 (d) Continuing education requirements for a classroom
17 teacher must provide that not more than 25 percent of the training
18 required every five years include instruction regarding:

19 (1) collecting and analyzing information that will
20 improve effectiveness in the classroom;

21 (2) recognizing early warning indicators that a
22 student may be at risk of dropping out of school;

23 (3) digital learning, digital teaching, and
24 integrating technology into classroom instruction; and

25 (4) educating diverse student populations, including:

26 (A) students with disabilities, including mental
27 health disorders;

1 (B) students who are educationally
2 disadvantaged;

3 (C) students of limited English proficiency; and

4 (D) students at risk of dropping out of school.

5 (e) Continuing education requirements for a principal must
6 provide that not more than 25 percent of the training required every
7 five years include instruction regarding:

8 (1) effective and efficient management, including:

9 (A) collecting and analyzing information;

10 (B) making decisions and managing time; and

11 (C) supervising student discipline and managing
12 behavior;

13 (2) recognizing early warning indicators that a
14 student may be at risk of dropping out of school;

15 (3) digital learning, digital teaching, and
16 integrating technology into campus curriculum and instruction; and

17 (4) educating diverse student populations, including:

18 (A) students with disabilities, including mental
19 health disorders;

20 (B) students who are educationally
21 disadvantaged;

22 (C) students of limited English proficiency; and

23 (D) students at risk of dropping out of school.

24 SECTION 9. Subchapter B, Chapter 21, Education Code, is
25 amended by adding Section 21.0543 to read as follows:

26 Sec. 21.0543. CONTINUING EDUCATION CREDIT FOR INSTRUCTION
27 RELATED TO DIGITAL TECHNOLOGY. The board shall propose rules

1 allowing an educator to receive credit toward the educator's
2 continuing education requirements for completion of education
3 courses that:

4 (1) use technology to increase the educator's digital
5 literacy; and

6 (2) assist the educator in the use of digital
7 technology in learning activities that improve teaching,
8 assessment, and instructional practices.

9 SECTION 10. Section 21.451, Education Code, is amended by
10 amending Subsection (d) and adding Subsection (d-3) to read as
11 follows:

12 (d) The staff development:

13 (1) may include training in:

14 (A) technology;

15 (B) conflict resolution;

16 (C) discipline strategies, including classroom
17 management, district discipline policies, and the student code of
18 conduct adopted under Section 37.001 and Chapter 37; ~~and~~

19 (D) preventing, identifying, responding to, and
20 reporting incidents of bullying; and

21 (E) digital learning;

22 (2) subject to Subsection (e) and to Section 21.3541
23 and rules adopted under that section, must include training that is
24 evidence-based [~~based on scientifically based research~~], as
25 defined by Section 8101, Every Student Succeeds Act [~~9101, No Child~~
26 ~~Left Behind Act of 2001~~] (20 U.S.C. Section 7801), that:

27 (A) relates to instruction of students with

1 disabilities; and

2 (B) is designed for educators who work primarily
3 outside the area of special education; and

4 (3) must include suicide prevention training that must
5 be provided:

6 (A) on an annual basis, as part of a new employee
7 orientation, to all new school district and open-enrollment charter
8 school educators; and

9 (B) to existing school district and
10 open-enrollment charter school educators on a schedule adopted by
11 the agency by rule.

12 (d-3) The digital learning training provided by Subsection
13 (d)(1)(E) must:

14 (1) discuss basic technology proficiency expectations
15 and methods to increase an educator's digital literacy; and

16 (2) assist an educator in the use of digital
17 technology in learning activities that improve teaching,
18 assessment, and instructional practices.

19 SECTION 11. Section 30A.112(b), Education Code, is amended
20 to read as follows:

21 (b) The state virtual school network may provide or
22 authorize providers of electronic professional development courses
23 to provide professional development for:

24 (1) teachers who are teaching subjects or grade levels
25 for which the teachers are not certified; or

26 (2) ~~[teachers who must become highly qualified under~~
27 ~~Section 1119, No Child Left Behind Act of 2001 (20 U.S.C. Section~~

1 ~~6319), or~~

2 ~~[(3)]~~ teachers who must become qualified under the
3 Individuals with Disabilities Education Act (20 U.S.C. Section 1400
4 et seq.).

5 SECTION 12. The following provisions of the Education Code
6 are repealed:

7 (1) Section 21.005; and

8 (2) Section 21.052(g).

9 SECTION 13. The State Board for Educator Certification
10 shall propose rules:

11 (1) establishing requirements and prescribing an
12 examination for an early childhood certificate examination as
13 required by Section 21.0489, Education Code, as added by this Act;
14 and

15 (2) establishing standards to govern the approval and
16 renewal of approval of educator preparation programs for early
17 childhood certification.

18 SECTION 14. The commissioner of education is required to
19 implement Sections 21.043(b) and (c) and 21.045(d), Education Code,
20 as added by this Act, only if the legislature appropriates money
21 specifically for that purpose. If the legislature does not
22 appropriate money specifically for that purpose, the commissioner
23 of education may, but is not required to, implement those sections
24 using other appropriations available for the purpose.

25 SECTION 15. This Act applies beginning with the 2017-2018
26 school year.

27 SECTION 16. This Act takes effect immediately if it

1 receives a vote of two-thirds of all the members elected to each
2 house, as provided by Section 39, Article III, Texas Constitution.
3 If this Act does not receive the vote necessary for immediate
4 effect, this Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1839 passed the Senate on May 4, 2017, by the following vote: Yeas 30, Nays 1; May 25, 2017, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 2017, House granted request of the Senate; May 28, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 1839 passed the House, with amendments, on May 23, 2017, by the following vote: Yeas 137, Nays 7, one present not voting; May 26, 2017, House granted request of the Senate for appointment of Conference Committee; May 28, 2017, House adopted Conference Committee Report by the following vote: Yeas 138, Nays 8, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor