

# TSTA Legislative Program

## 2021-2022

### The TSTA Legislative Agenda

#### 1. Providing Quality Teachers

To attract, maintain, and retain appropriately certified teachers in Texas classrooms, TSTA supports:

- 1.01. Legislation to give teachers significant across the board pay raises that will be passed through directly to teachers.
- 1.02. Legislation that requires proportional per diem rate of pay for any work done beyond the number of days required by the school employee's employment contract.
- 1.03. Legislation that requires high standards for teacher certification and supports teacher preparation programs that balance content knowledge and pedagogy. These programs will provide teachers with an understanding of how to teach, including requiring practical experience before entering the classroom.
- 1.04. Legislation that provides for greater representation of teachers on the State Board for Educator Certification (SBEC).
- 1.05. Legislation that provides training, compensation, and release time to teachers who serve as mentors to new and or struggling teachers. According to SBEC data, approximately one-third of new teacher quit after the first year and one-half leave by the fifth year. Data from the Texas Beginning Educator Support System (TxBess) and similar projects shows that an effective Mentoring program can reduce first year attrition rates to less than 10 percent. Every district should provide a mentoring program for first to third year teachers and mentoring support for new teachers.
- 1.06. Legislation to financially reward those individuals who obtain National Board Certification and others who voluntarily hold themselves to higher standards such as: Master's Degree(s), Specialist Degree(s), Doctorate(s) and Multiple Certifications.
- 1.07. Legislation that provides incentives and financial support for paraprofessionals who pursue teacher certification, as well as continuing education and staff development for teachers.

33 **1.08.** Legislation to protect and enhance Teacher Retirement System’s defined benefit  
34 program. All educational employees should be able to make plans for their  
35 retirement without worrying about the Legislature changing or reducing benefits.  
36 Retired educational employees deserve a system that provides annual cost of living  
37 adjustments and health insurance they can afford. Retired School Employees’  
38 health insurance and benefits shall be comparable to or better than those for  
39 Retired State and higher education employees.

40 **TSTA will oppose:**

41 **1.09.** Legislation that reduces salaries and/or benefits for public school employees.

42 **1.10.** Legislation that would create incentive or merit pay programs based on a  
43 competitive model using standardized test scores.

44 **1.11.** Legislation that would mandate employment decisions and compensation based  
45 on value-added modeling.

46 **1.12.** Legislation that would move the Teacher Retirement System toward a defined  
47 contribution system.

48 **1.13.** Legislation to decrease the state’s contribution to the Teacher Retirement System.

49 **1.14.** Legislation that abolishes the State Board for Educator Certification.

50 **1.15.** Legislation that would eliminate experience-based compensation.

51 **2. Creating a Positive Work Environment for Educational Employees and Students**

52 **In order to provide a positive working environment for educational employees and**  
53 **students in Texas, TSTA will support:**

54 **2.01.** Legislation that increases the minimum requirements for holding any supervisor or  
55 administrative position for which full certification is required.

56 **2.02.** Legislation that provides educational employees with a meaningful voice in the  
57 important decisions that relate to the learning environment and working  
58 conditions. To that end, TSTA supports strengthening site-based decision making  
59 at the campus and district level, mandating consultation at the district level,  
60 permitting collective bargaining in individual school districts after a local option  
61 vote, and repealing the prohibition against collective bargaining in order to give  
62 educational employees a necessary and critical role in the decision-making process.

63 **2.03.** Legislation reducing mandated paperwork (electronic or otherwise), providing  
64 standardized requirements on required paperwork/forms to be used across the  
65 state limiting the number of meetings, and providing time for collaboration and

- 66 professional learning. Giving teachers adequate preparation time is essential to  
67 successful teaching and learning. Numerous studies have shown that working  
68 conditions are a primary factor in teacher attrition.
- 69 **2.04.** Legislation prohibiting classroom teachers and classrooms ESPs from engaging in  
70 direct billing (for example, Medicaid billing).
- 71 **2.05.** Legislation to maintain safe and orderly schools. Educational employees must have  
72 the authority to remove disruptive students and maintain discipline. Discipline  
73 must be dealt with in a uniform and effective manner. Student violence directed at  
74 staff or students must be dealt with swiftly and those students should be  
75 immediately removed to an appropriate alternative learning environment. Districts  
76 should be mandated to establish policy and include in the district's Student Code of  
77 Conduct rules and guidelines prohibiting harassment of educators, personnel, and  
78 students, including the use of social media platforms.
- 79 **2.06.** Legislation that provides health insurance benefits for all educational employees,  
80 comparable to those provided state and higher education employees. The state  
81 and district insurance plans should provide appropriate disclosures and notices of  
82 what benefits are covered and what fees and deductibles employees may be  
83 obligated to pay. TSTA will aggressively lobby and work with T.R.S. and the  
84 legislature to reign in the cost of T.R.S. Active Care / T. R. S. Retired Care.
- 85 **2.07.** Legislation that increases personnel and support structures for counseling and  
86 student and staff mental health. Educators should take comfort in knowing that  
87 students who need to be removed to an alternative learning environment will be  
88 met with appropriate and restorative supports.
- 89 **2.08.** Legislation that provides all public-school employees with a living wage, including  
90 annual cost of living adjustments.
- 91 **2.09.** Legislation to provide all employees with employment contracts and strong due  
92 process provisions regarding contractual, statutory, and constitutional rights.
- 93 **2.10.** Legislation that prohibits districts from requiring annual contracts exceeding 187  
94 days without additional compensation.
- 95 **TSTA will oppose:**
- 96 **2.11.** Legislation that expands or provides broad rulemaking authority to the  
97 Commissioner of Education.
- 98 **2.12.** Legislation designed to restrict the ability of TSTA to organize and provide services  
99 to educational employees.

100 **2.13.** Legislation that would make current state standards subject to “home rule” or  
101 otherwise allow school districts to be exempt from or to roll back the current  
102 standards that protect the quality learning environment for students. Attempts to  
103 erode state standards for educational quality, in the name of “cost saving,” “local  
104 control” or “eliminating unfunded mandates,” could mean the end of 22-1 class size  
105 limits, the salary schedule, and other benefits necessary to provide teachers and  
106 students a productive educational environment.

### 107 **3. Increasing Support for Public Education**

#### 108 **In order to improve the public schools in Texas, TSTA will support:**

109 **3.01.** Legislation that creates long term, equitable school finance solution that generates  
110 substantial new revenue for public education, including sufficient revenue to pay  
111 for a substantial across-the-board teacher pay raise. A revised tax system must  
112 have the capacity to generate sufficient additional revenue in the future as our  
113 student population increases and additional funding needs arise.

114 **3.02.** Legislation that requires open enrollment charters to follow all regulations and  
115 accountability standards that public schools follow.

#### 116 **TSTA will oppose:**

117 **3.03.** Legislation that would shift public tax dollars to private entities. Vouchers,  
118 educational savings accounts, and other privatization schemes would take the  
119 funding we have for public schools and give it to students to attend private schools  
120 that are exempt from our accountability system. TSTA believes we should use our  
121 state resources to offer every student a quality public education.

122 **3.04.** Legislation that allows the takeover of the public’s neighborhood schools by  
123 private, for-profit, or unelected entities that are not accountable to taxpayers.  
124 Privatization has been shown to be a failed approach that provides an inferior  
125 education to our students.

126 **3.05.** Legislation that would establish initiative and referendum. In states where  
127 initiative and referendum are legal, the procedures have been used to bypass the  
128 legislative process, undermine the decisions of elected representatives and to limit  
129 funding for public education. TSTA supports that system of representative  
130 government that allows us to effect change through the electoral process.

131 **3.06.** Legislation that expands virtual learning options for students. Research and the  
132 experience of the pandemic show that students are not well served in virtual  
133 learning environments.

### 134 **4. Enhancing Our Public School System**

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135 **In order to improve the public schools in Texas, TSTA will support:**

- 136 **4.01.** Legislation that establishes and fully funds full-day kindergarten and pre-  
137 kindergarten programs. Research indicates that the initiation of high-quality early  
138 care and education programs leads to a reduction in special education placement.
- 139 **4.02.** Legislation limiting class size across all grade levels. Both the Carnegie Foundation  
140 for the Advancement of Teaching and the National Association of Elementary  
141 School Principals recommend a student-teacher ratio of 15:1 – a real and effective  
142 student-teacher ratio rather than one that includes all campus instructional  
143 personnel. In addition, the impact of a growing number of inclusion special  
144 education students in the general education classroom requires an additional  
145 reduction in class size based on the number of inclusion students in a classroom.
- 146 **4.03.** Legislation limiting class sizes for self-contained classrooms for special education  
147 students to 10 students. In cases where this ratio is inadequate, districts should be  
148 required to provide a process for teachers to request additional personnel based on  
149 the severity of each exceptional student’s needs. Special needs children in self-  
150 contained classrooms must have more one-on-one instruction time with  
151 appropriately certified teachers in order to succeed, including requirements that  
152 address: Class size limitations on self-contained and resource classrooms for  
153 children with disabilities. Educator: Student ratios for general education classes in  
154 grades K-12 to limit the practice of overcrowding students with disabilities into the  
155 general education setting with minimal adult support with a ratio of no more than  
156 one-fourth of SPED students in class; and the establishment of a 1:1 ratio of  
157 students to adults in classrooms with students confined to wheelchairs or who  
158 require assistance walking or moving about to include students with autism and  
159 other disabilities that require extensive assistance and/or modification.
- 160 **4.04.** Legislation that funds schools based on student enrollment rather than  
161 attendance. Texas is only one of seven states in the country that uses average daily  
162 attendance (ADA) to calculate funding for its public schools. However, schools are  
163 still required to provide an education to 100% of its enrolled students using funds  
164 that are based on a lower student count, as ADA in Texas is around 95% of the total  
165 enrollment across the state. Basing funding on attendance disproportionately  
166 penalizes schools that serve a large number of children from low-income families  
167 and children who are more likely to suffer chronic health issues.
- 168 **4.05.** Legislation requiring full-time counselors and librarians on every campus. In  
169 addition, legislation requiring limitations on counselor-to-student ratios is not to  
170 exceed 1:250. This should be a priority for all schools without exception.
- 171 **4.06.** Legislation requiring at least one full-time registered nurse on every campus.

- 172       **4.07.** Legislation expanding the Children’s Health Insurance Program and Medicaid. The  
173       quality of health care is directly related to the standard of living. Children from low  
174       socio-economic homes are less likely to have access to adequate and preventive  
175       health care.
- 176       **4.08.** Legislation minimizing the use of standardized assessments in our schools. The  
177       excessive use of high stakes standardized tests to measure or label student,  
178       teacher, campus, and district performance creates a situation where “teaching to  
179       the test” becomes more important than learning. Student assessment should be  
180       based on multiple measures that are related to the educational needs of students.  
181       Students with Individualized Education Plans that would formerly qualify to take  
182       STAAR ALT 2 assessments shall not be required to take any mandated state  
183       assessments and a student portfolio documenting a student’s progress shall  
184       replace it.
- 185       **4.09.** Legislation supporting and funding effective, subject-specific technology training  
186       for educators in the use of proven programs. With increases in the use of  
187       technology systems in the workplace, our students deserve instruction in subject-  
188       specific technology by teachers who are proficient in its use.
- 189       **4.10.** Legislation to fund and support programs to assist English language learners.  
190       Globalization has brought students from around the world into Texas public school  
191       classrooms. These students need effective programs and appropriately certified  
192       teachers to help them become successful English language learners. **In addition,**  
193       **legislation requiring limitations of ESL teacher-to-student ratios is not to exceed**  
194       **1:15.**
- 195       **4.11.** Legislation that establishes a size cap of 12 students for pre-kindergarten classes.
- 196       **TSTA will oppose:**
- 197       **4.12.** Legislation that requires outcomes-based funding.

# 198 TSTA Legislative Program: Educational COVID Response

## 199 The TSTA Legislative Agenda: Educational COVID Response

### 200 1. Providing Quality Schools

201 **In order to be responsive to teachers and students as they have had to adjust to new**  
202 **instructional approaches and respond to the devastating impacts of the COVID-19**  
203 **pandemic, TSTA will support:**

- 204       **1.01.** Legislation that ensures and prioritizes the health and safety of students and  
205           educators.
- 206       **1.02.** Legislation that removes high stakes on students related to the State of Texas  
207           Assessment of Academic Readiness (STAAR) exam, including grade promotion and  
208           high school graduation requirements.
- 209       **1.03.** Legislation that suspends the administration of the STAAR exam.
- 210       **1.04.** Legislation that removes high stakes on teachers related to performance  
211           evaluations, including the use of student outcomes based on standardized tests.
- 212       **1.05.** Legislation that suspends formal evaluations of educators during the 2020-21  
213           school year.
- 214       **1.06.** Legislation that removes high stakes on schools related to the STAAR exam,  
215           including sanctions for poor performance Legislation that suspends the use of the  
216           punitive A-F accountability system.

### 217 2. Increasing Funding for Public Education

218 **In order to help smooth over the downturns as the economy is recovering and to protect**  
219 **investments made in House Bill 3 (2019), TSTA will support:**

- 220       **2.01.** Legislation that permits for the use of the Economic Stabilization Fund (Rainy Day  
221           Fund) as it was intended in order to fund the COVID-related expenditures and  
222           avoid cuts to education.
- 223       **2.02.** Legislation that ensures federal stimulus dollars are used to increase public  
224           education funding.
- 225       **2.03.** Legislation that expands local control regarding instructional delivery decisions  
226           that is in the best interest of students and staff during a declared state of disaster.
- 227       **2.04.** Legislation that pauses all charter growth, a significant and elective cost to the  
228           state at the direct expense of public schools.

229 **TSTA will oppose:**

230 **2.05.** Legislation that gives corporations unnecessary tax breaks rather than using that  
231 revenue for public schools.

232 **2.06.** Legislation that expands full-time virtual programs.

233 **2.07.** Legislation that would withhold funding for schools based on decisions made by  
234 local school officials and health experts during a declared state of disaster.

### 235 **3. Providing Quality Instruction**

236 **In order to ensure added supports for students facing learning loss due to COVID-19 school**  
237 **closures, pedagogical limitations, and the digital divide, TSTA will support:**

238 **3.01.** Legislation that provides for additional funding and salary supplements that would  
239 support supplemental instruction.

240 **3.02.** Legislation limiting class size across all grade levels according to research-based  
241 student-to-teacher ratio recommendations regardless of District of Innovation  
242 status.

243 **3.03.** Legislation limiting class size based on the number of inclusion students in a  
244 classroom.

245 **3.04.** Legislation eliminating standardized testing beyond the federal requirement.

246 **TSTA will oppose:**

247 **3.05.** Legislation that would increase class sizes and/or student-teacher ratios.

### 248 **4. Ensuring Support for Special Populations**

249 **In order to effectively remediate the students hardest hit by the COVID-19 pandemic,**  
250 **TSTA will support:**

251 **4.01.** Legislation that allows for temporary measures to efficiently account for services  
252 and/or evaluations that were interrupted, reduced, delayed or suspended for  
253 students who receive special education services.

254 **4.02.** Legislation that provides for additional funding and salary supplements that would  
255 support the efficient and immediate delivery of compensatory services and  
256 supplemental instruction.

257 **TSTA will oppose:**

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**4.03.** Legislation that penalizes educators for special education services missed during a declared state of disaster or academic regression due to student disengagement.