

## **2011-12 ATPE Legislative Program**

### **1. Teacher 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 recommends that the state fund programs to reduce the financial burden on teachers pursuing certification and to recruit and retain educators in shortage areas.

ATPE recommends that the state provide full health insurance benefits for educators after 20 years of service 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.

### **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.
- (2) Support majority representation by certified teachers on SBDM committees.
- (3) Establish an appeals process to the local school board.
- (4) Require SBDM committees to determine the use of contract days beyond the days of instruction and advise the 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 opposes mandatory national certification.

ATPE supports a requirement for a review of any recommendation or decision that would deny an educator certification if such a review does not already exist.

ATPE recommends that the state:

- a. Standardize teacher preparation programs to include policies and practices designed to ensure that new teachers receive adequate mentoring and support.
- b. Require comprehensive pedagogical training, including classroom and discipline management, child and adolescent psychology, and methods courses.
- c. Require coursework in the areas of reading, special education, gifted/talented, ESL and computer literacy.
- d. Require districts to assign all certified educators to teach in their certification area(s).
- e. Require administrators to have at least five years of classroom teaching experience.

#### **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.

ATPE supports laws requiring criminal background checks of public school employees so long as public school employees are not responsible for the cost of such checks and appropriate safeguards are in place 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.

ATPE recommends that all board members have public education experience.

#### **7. Safe schools**

ATPE supports measures to ensure all educational settings are safe 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 K-12 public education requirements.

- b. Immediately remove any student who threatens or physically assaults a school employee, volunteer or another student to an alternate placement as determined by district policy. The student's parent or guardian should be notified immediately.
- c. Utilize resources to deter or recover students from gang involvement and/or substance abuse.
- d. Require accurate coding and reporting of incidents at schools.
- e. Require comprehensive training 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.

## **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 higher education, career and technology opportunities.

ATPE recommends that school districts/the state:

- a. Allow teachers and administrators to determine the appropriate content and/or methodology of curriculum and education programs, including e-learning programs.
- b. Require one year of mandatory attendance in an accredited kindergarten program in order for students to be eligible to enter first grade. Children entering kindergarten should be 5 years old on or before July 1.
- c. Expand and fund career and technology programs.
- d. Provide English Language Learners (ELLs) with adequately trained personnel and the most appropriate placement to meet their needs.
- e. Recommend that any changes to graduation requirements be made with full consideration of the need for a well-rounded curriculum and student choice.
- f. Ensure that the State Board of Education incorporates educator input whenever the Texas Essential Knowledge and Skills or graduation requirements are revised.
- g. Make personnel standards and curriculum for all alternative education programs commensurate with K-12 public education requirements.
- h. Support prealgebra being counted in the minimum high school plan.

## **10. Grading policies**

ATPE supports school district policies that give deference to an educator's professional discretion in assessing the progress of his or her 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. Not require all students to take the ACT or SAT.
- d. Support state and locally developed alternative assessment instruments provided that teachers are afforded additional and adequate resources to undertake assessment development.
- e. Ensure that any online testing for state assessments is fully funded by the state, tested and operational for each school district and allows appropriate modifications and/or accommodations for students.
- f. Support a set schedule for releasing all implemented state-required assessments in even numbered years.
- g. Allow for flexibility in determining when ELLs are required to be assessed in English.

## **12. Elementary and Secondary Education Act (No Child Left Behind)**

ATPE recommends that curriculum remain in local control and opposes a standardized national curriculum and test being mandated as part of the reauthorization of the Elementary and Secondary Education Act (ESEA), also referred to as the No Child Left Behind Act (NCLB).

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

ATPE recommends that federal 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 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 meet the standards in the Professional Development Imperative (PDI), 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, technology, gifted/talented education, 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 program or initiative, tuition tax credit or voucher system that would direct public funds to private, home or for-profit virtual schools.

ATPE opposes the participation of home-school and private school students in public school classes and/or extracurricular activities unless such students can meet grade-level accountability standards.

#### **15. University Interscholastic League**

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

ATPE opposes any legislation that will eliminate the athletic period from the school day or abolish “No Pass, No Play” standards.

ATPE opposes legislation permitting schools to employ coaches who are not full-time employees of the district or parents to perform eligibility checks.

#### **16. Charter 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.

#### **17. Windham School District and Texas Youth Commission**

ATPE supports the goals established for the Windham School District and the Texas Youth Commission. Educators employed by those entities should have certification requirements, standards, rights and benefits commensurate with other public school district educators.

#### **18. Parental, business and community involvement**

ATPE supports programs that encourage parental, business and community involvement in the education of all students, with special efforts made to include non-English-speaking parents and/or other minority parents.

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

ATPE supports requiring all Texas legislators, especially those serving on committees dealing with educational issues, to 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 fully funded state and federal public education system for every student. ATPE also supports any form of state revenue enhancement and tax restructuring that empowers the state to be the system's primary funding source.

ATPE recommends that the state base its school finance system on financial accountability measures and specifically allocate state and local funds for educator compensation, state mandates, effective program weights for special populations and all grade levels, alternative and regular education facilities costs, equipment costs, debt service, transportation costs and education service centers (ESCs).

### **20. Permanent School Fund**

ATPE supports a management strategy that 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 maintaining current educator contract laws and due process laws regarding teacher assignment, transfer, hiring and dismissal, including requirements for independent hearing examiners.

### **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 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 step increases over a 30-year period 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 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 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.

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.

## **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 requiring TRS-Care to pay for routine annual physical exams, including all physician-ordered testing.

## **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, the establishment of TRS benefits comparable to state employee retirement benefits, 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.

ATPE opposes mandatory participation in Social Security for employees of public school districts in Texas.

### **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.

### **33. Regulatory exemptions**

ATPE generally opposes the state granting waivers or exempting districts and campuses from provisions of the Education Code.

ATPE recommends full public disclosure of requests for 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.