



## 2022-23

### ATPE Legislative Program

#### **(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's 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. Standardize teacher preparation programs to include policies and practices designed to ensure that new teachers receive adequate mentoring and support and increase the standards for entrance into the profession.
- 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 administrators to have at least five years of relevant classroom teaching experience.
- e. Require initial administrator certification and assignments to correlate with teaching experience.
- f. 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.



**Association of Texas  
Professional Educators®**

**(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 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 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.

### **(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 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. 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 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 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, technol-

ogy, 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 selective participation of home-school and private school students in public school activities and classes, except through the Virtual School Network.

### **(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 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 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.

#### **(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 annual increases 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.



**Association of Texas  
Professional Educators®**

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 state-wide 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.
- 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.

## **(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, 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.



**Association of Texas  
Professional Educators®**

### **(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, 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 staffing 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.

