

**Resolution of the Board of Directors in Support of
Greater Public School Flexibility**

The Greater Houston Partnership's Board of Directors supports legislation that would provide public school districts with greater flexibility to address the changes our region will face now and into the foreseeable future, not available under the current legislative constraints.

The GHP urges the Legislature to protect the current investment in funding for K-12 public schools. The current financial challenges need creative and responsible responses that offer local school districts the tools they need to address their changing circumstances in as flexible and efficient a manner as is possible within these constraints.

Senate Bill 443 (Patrick), gives districts flexibility by lowering the classroom ratio for kindergarten to fourth grade classes to 21:1 on a district-wide average; and House Bill 400 would allow individual school districts, depending on their local circumstances, flexibility and the ability to preserve jobs, through the following:

- Several changes to district personnel laws:
 - Allows teacher contract nonrenewal notice to occur on the last day of school instead of 45 days prior to the last day of instruction.
 - Removes the current requirement that school districts conducting reductions in force make terminations in reverse order of seniority.
 - Maintains the 180 instructional day requirement, but allows flexibility to negotiate professional development days in teacher contracts.
 - Repeals the state mandated teacher salary schedule, requiring districts to adopt a plan, with teacher input, for determining the compensation of classroom teachers that includes provisions under which a district will distribute bonuses
 - Adding language on non-renewal hearings; including reading academy stipends in employee monthly salary for determining whether the minimum monthly salary has been met.
- A school district, for joint elections, is only responsible for the proportion of election expenses that corresponds to the proportion of registered voters in the school district to registered voters in all political subdivisions participating in the joint election.
- Changing reporting requirements for school district board hearings and meetings, notably by allowing districts to e-mail notices to media, posting the notice on the district website, and making the notice available at central office and all campuses.
- Eliminating the 10 to 1 student to teacher ratio in accelerated instruction classes.

- Limiting fitness assessments to students in classes that satisfy physical education requirements.

Support for legislation that allows for effective human resource management, recognizes and rewards effective teaching, eliminates unnecessary mandates on school districts and allows class size flexibility will permit individual school districts to realize savings, depending on their local circumstances, without necessarily impacting the quality of programs.



Larry Kellner, Chairman



Jeff Moseley, President and CEO



Tony Chase, Secretary

BACKGROUND MEMORANDUM

DATE: April 6, 2011

TO: Greater Houston Partnership Board of Directors

FROM: Anne Taylor, Chair, Education Policy Advisory Committee

SUBJECT: Resolution of the Board of Directors in Support in Support of Greater Public School Flexibility

BACKGROUND

The Partnership urges the Legislature to protect the current investment in funding for K-12 public education. The current financial challenges need creative and responsible responses that offer local school districts the tools they need to address their changing circumstances in as flexible and efficient a manner as is possible within these constraints. Legislation that allows for effective human resource management, recognizes and rewards effective teaching, eliminates unnecessary mandates on school districts and allows class size flexibility will permit individual school districts to realize savings, depending on their local circumstances, without necessarily impacting the quality of programs.

LEGISLATION PROPOSED

Senate Bill 443 (Patrick) and House Bill 400 (Eissler) have received support from the region's local school districts and superintendents, including Houston ISD. The Texas Association of School Administrators has stated that SB 443 will give school districts managerial and financial flexibility to manage personnel costs and resources in the best interests of students; and the Teachers Association of School Boards have noted that HB 400 would provide district management with the flexibility to preserve jobs, potentially up to 11,000 professional jobs per year. HB 400 has also received support from seven of the Metro 8 Chambers of Commerce. House Bill 400 would allow individual school districts, depending on their local circumstances, flexibility and the ability to preserve jobs. The Fiscal Note prepared by the Legislative Budget Board presents compelling evidence regarding the proposed impact on Local Government that HB 400 (as filed) would create, among them:

- School districts could realize cost savings under the provisions of the bill.
- The bill would amend provisions relating to joint elections to provide for allocation of election expenses on the basis of the proportion of registered voters in the school district to the total number of registered voters in all participating political

subdivisions. The bill would also provide uniform procedures for electronic notifications of certain hearings by school district boards of trustees. In addition to the electronic notifications, school districts would retain the option of providing notice of such hearings via traditional print media at local discretion.

- The bill would establish procedures governing school district declarations of financial exigency, continuations of financial exigency, and terminations of financial exigency declarations.
- To the extent that the bill would allow school districts to reduce salary-related costs, local savings could be realized. The bill would repeal the statutory salary schedule that currently governs minimum compensation for classroom teachers and full-time counselors, nurses, and librarians. In addition, the bill would repeal a provision currently entitling employees subject to the minimum salary schedule a salary that is at least equivalent to the salary they received in 2010-11 for the duration of their employment with the district in which they were employed during 2010-11. Beginning with the 2012-13 school year, school districts would be required to adopt a locally developed compensation plan for classroom teachers in accordance with specific criteria described in the bill.
- The bill would remove the current requirement that school districts conducting reductions in force make terminations in reverse order of seniority in the specific teaching field. The bill would provide teachers whose contracts are terminated due to financial exigency the opportunity for appeal of the termination and a hearing process.
- The bill would also lengthen the time period afforded to school districts for notifying teachers of contract renewal or nonrenewal by extending the date by which notice must be provided from no later than the 45th day prior to the last day of instruction to no later than the last day of instruction and would provide various options for delivery of the notice.
- Effective with the 2011-12 school year, the bill would remove a requirement limiting accelerated instruction groups to a 10:1 student-teacher ratio. School districts could experience some cost savings related to the elimination of this limit.
- The bill would reduce the number of students subject to annual assessment of physical fitness from all students in grades 3-12 to only those students who are enrolled in a physical education course.

Senate Bill 443 gives districts flexibility by lowering the classroom ratio for kindergarten to fourth grade classes to 21:1 on a district-wide average (currently, it is 22:1 for each classroom). The bill would also provide districts with discretion concerning summer programs for prekindergarten and kindergarten students with limited English proficiency that are mandatory under current law. The bill would extend statutory exemptions that currently apply to school districts that are rated exemplary to include districts that are rated recognized.

KNOWN OPPOSITION

- The Texas Public Health Coalition is opposed to the proposed Fitnessgram reduction in HB 400.
- The Texas Classroom Teachers Association and the Texas American Federation of Teachers are opposed to HB 400, specifically related to teacher-student ratios and proposed salary measures.
- The Houston Federation of Teachers and the Association of Texas Professional Educators is opposed is opposed to HB 400, stating specifically the changes to the notice of resignation, the extension of the notification period of non-renewal of contracts, and unilateral changes in the teacher contract.
- The American Federation of Teachers, the Texas Association of Professional Educators, and the Texas State Teachers Association are opposed to SB 443, stating that the bill will lead to increased classroom sizes.

RESOURCES REQUIRED

This recommendation can be implemented with available Greater Houston Partnership staff and within current operating budget resources.