



# Association of Texas Professional Educators®

## The Truth About SB 893 and HB 2543

On April 14, 2015, Texans for Education Reform (TER) issued a press statement entitled, "TER Challenges Misinformation on Teacher Evaluation Bill." The document was disseminated widely in support of Sen. Kel Seliger's SB 893 and Rep. Marsha Farney's HB 2543 and made several unfounded claims about the bills. ATPE offers the following Fact Check in response to TER's claims about SB 893/HB 2543 and urges opposition to these bills.

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**TER claims SB 893/HB 2543 will not: "reduce a teacher's salary or make changes to minimum salary."**

**In actuality, SB 893/HB 2543 will:** reduce the guaranteed minimum salary for every current teacher with more than one year of teaching experience. In SB 893 and HB 2543, sections six, seven, and eight of the bills eliminate the minimum salary schedule for teachers; section nine replaces the minimum salary schedule with a single minimum salary of \$27,540 (\$2,754 a month for 10 months). The current salary schedule guarantees a higher salary than \$27,540 for all teachers with more than one year of experience. Veteran teachers are guaranteed not less than \$44,270 under current law, but that would fall to \$27,540 under these bills.

There is no justification for eliminating the minimum salary schedule and replacing it with a compensation structure determined by the commissioner of education that is likely to rely too heavily on students' ability to perform well on standardized tests. The state minimum salary schedule gives districts ample flexibility under existing law to pay higher salaries, create strategic compensation plans, and differentiate teacher pay above the state minimums based on local criteria within the confines of existing law. Almost all school districts in Texas already pay at least marginally above the state minimum salaries required for the first 20 years of a teacher's career, mainly because the minimums are lower than national averages and amounts typically paid to teachers by other states. Many districts have successfully implemented strategic salary plans that pay teachers more than the state minimums and differentiate their pay according to numerous factors of each district's own choosing through local control. Eliminating the state minimum salary schedule for teachers is clearly a significant change and one that will devastate teacher morale and almost certainly lead to a reduction in most teachers' salaries.

**TER claims SB 893/HB 2543 will not: "tie a teacher's appraisal to STAAR tests."**

**In actuality, SB 893/HB 2543 will:** promote tying student test scores to teacher appraisals and compensation, as shown by sections one and four of the bills. In eliminating the minimum salary schedule for teachers, section one of the bill requires the commissioner to tie teacher compensation to appraisal. The vast majority of districts use the commissioner's recommended appraisal system, which is presently being modified to place more emphasis on student performance, including the use of potentially unreliable data, such as value-added models of student growth based on students' scores on STAAR tests. HB 2543 and SB 893 are too heavily focused on measures of student performance as determined by the appointed commissioner and tying appraisals to students' scores on standardized tests, which research shows are an unstable and inaccurate measure of educator effectiveness.

We don't tie doctors' compensation directly to patient survival rates because we want the best doctors to be willing to take on hard-to-treat patients. We shouldn't tie teachers' pay to student performance because we want experienced educators to teach all students, even the ones more likely to fail the test. Parents, advocates, and lawmakers increasingly question the effectiveness of standardized tests at measuring student performance; even test developers have acknowledged such tests were not designed to measure educator performance or effectiveness. Teachers repeatedly tell us that they want to be observed in action and given frequent, timely feedback about their instructional skills and any areas in which they might improve. In other words, appraisals should use meaningful, observable measures to assess the performance of teachers in the classroom, not reduce evaluation to a check-off system where the only variation between ratings is how well a teacher's students scored on a snapshot standardized test in a given year.



**TER claims SB 893/HB 2543 will: “improve appraisals of teachers” because it “ensures that a teacher is appraised annually based on multiple measures, including student educational growth, and requires that a teacher receive meaningful feedback.”**

**In actuality, SB 893/HB 2543 will not:** improve appraisals on their own, because the bills encourage school districts to employ overly simplistic criteria for evaluating, compensating, and promoting/demoting educators. These include the use of value-added modeling (VAM) systems that attempt to isolate the effect of individual teachers on students’ test scores. VAM utilizes proprietary “black box” formulas that provide little meaningful feedback to teachers. Research indicates that VAM is unreliable, especially at the classroom level, and highly vulnerable to false positives or negatives about a teacher’s effectiveness. VAM also cannot control for factors beyond a teacher’s influence. Still, agency and district policymakers often rely on flawed criteria such as VAM because having one, or even a few, administrators meaningfully evaluate all teachers every year is not logistically or financially feasible. Robust evaluation requires a team approach – not a perfunctory checklist with overreliance on test scores that SB 893 and HB 2543 in their current form are likely to promote. ATPE members want appraisals that provide timely, meaningful feedback based on multiple, observable, proven measures of performance. Teachers do not need appraisals tied to testing that diminish the role of observations and the work teachers do inside the classroom every day.

**TER claims SB 893/HB 2543 will: “preserve local control” since the bill “allows school districts to either adopt a state-designed teacher development framework or adopt a locally-designed framework that includes key elements such as annual appraisals and meaningful feedback.”**

**In actuality, SB 893/HB 2543 will not:** improve local control. As shown in sections one and four, they require the commissioner – not school districts – to develop a teacher framework and evaluation system. There is practically no statutory restraint on how prescriptive the commissioner’s system may be and little direction on what it may include. His plan can, and likely will, include weighting for each area of a teacher’s evaluation, including student performance as measured by tests. For example, while the bills may not require it, they also do not prevent the commissioner from basing 99 percent of a student’s academic performance on STAAR and basing 96 percent of a teacher’s evaluation on student performance. The bill also requires the commissioner to prescribe in rule the manner and degree to which a teacher’s evaluation will determine her compensation, but nothing in the bill prevents the commissioner from determining that 100 percent of an educator’s pay, above the bill’s \$27,540 statutory minimum, should be set annually on the basis of her students’ prior year test scores. While districts may develop their own plan under the bill, history shows that the vast majority will default to the commissioner’s plan. If passed, these bills are more likely to reduce local control over personnel matters, including decisions about appraisal and compensation, by tying them to state-mandated criteria. Additionally, the bills almost totally abdicate the legislature’s state-level policymaking authority to the appointed commissioner. State law should preserve local control and encourage districts to focus on classroom observations and giving ongoing feedback to teachers, rather than creating a rigid commissioner-developed framework that promotes making high-stakes employment decisions on the basis of student test scores or questionable statistical formulas.

**TER claims SB 893/HB 2543 will: “allow compensation innovation” because it “provides local school districts with opportunities to recruit, support, and reward teachers with unique local teacher compensation plans.”**

**In actuality, SB 893/HB 2543 will not:** do anything to help districts pay higher salaries to teachers. The bills are more likely to reduce local control over compensation decisions by tying them to state-mandated criteria. Plus, in eliminating the minimum salary schedule, the only new “flexibility” that SB 893 and HB 2543 would give districts is the ability to pay teachers less, not more. Paying teachers below the amounts in the current state minimum salary schedule will produce compensation that is far below market value, which would do a disservice to the education profession and hinder efforts to recruit great teachers in the future. Rather than supporting teachers, eliminating their minimum salary schedule only hurts the morale of current and future classroom teachers and sends a message that longevity in the school system doesn’t matter.



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