



ATPE Opposition to HB 4205

Creating accelerated campus excellence turnaround plans
for low-performing schools

May 15, 2019

The **Association of Texas Professional Educators (ATPE)** offers the following information in opposition to **House Bill (SB) 4205** by Rep. Tom Craddick.

HB 4205 was originally intended to allow for a Midland ISD school to be repurposed in partnership with IDEA public charter schools, but was amended on the House floor to include a new section allowing certain school districts to craft an accelerated campus excellence (ACE) turnaround plan for schools under threat of sanction. ATPE has serious concerns over the program added to HB 4205, which is identical to the plan described in **SB 1412** by Sen. Charles Perry.

- 1. Teacher Assignment Criteria:** Under the engrossed version of HB 4205, at least 80 percent of the teachers assigned to an ACE campus must be among the top quartile of teachers as determined by evaluations and an undefined measure of “student growth” to be approved by the commissioner of education. While there is no explicit requirement to use test scores, the broad authority granted in Sections 2 and 5 of this bill would allow the commissioner to impose just such a requirement. Overwhelming evidence shows that student test scores are not scientifically valid for assessing individual teacher performance. Additionally, the forced ranking of teachers into performance quartiles poses problems for smaller districts, many of which have only one elementary and one secondary campus, making a requirement that 80 percent of a campus be composed of teachers in the top 25 percent mathematically impossible. Finally, the language added to HB 4205 raises serious questions about whether and how due process rights would be afforded to educators working in a district that opts to pursue the ACE turnaround plan as outlined in this bill.
- 2. Vendors:** HB 4205 *requires* a participating district to contract with a third-party vendor to develop and implement the district’s ACE plan. Such an arrangement might make sense for some districts, but not for others. No district should be mandated to spend public tax dollars on a private vendor in order to execute what is essentially a strategic staffing program. There is no fiscally responsible reason for mandating a contract of this type.

ATPE believes the state should offer assistance to districts that wish to develop and implement their own programs for strategic staffing and compensation, especially at struggling campuses. However, the program proposed by this added language requires improvement.

HB 4205 contains numerous problems, including its forced ranking of teachers based upon questionable metrics, its changes to the legal criteria for assignment and retention of teachers, and its requirement that districts divert public taxpayer dollars to a private vendor.

For these reasons, we urge you to **OPPOSE HB 4205**. For additional information, contact ATPE Governmental Relations at (800) 777-2873 or government@atpe.org.

The Association of Texas Professional Educators (ATPE) has been a strong voice for Texas educators since 1980. It is the leading educators' association in Texas with 100,000 members statewide. With its strong collaborative philosophy, ATPE speaks for classroom teachers, administrators, future, retired and para-educators and works to create better opportunities for 5 million public schoolchildren. ATPE is the ally and the voice of Texas public school educators.