



**ATPE**<sup>TM</sup>

# Testimony against HB 3623

Relating to educator continuing contracts

**April 23, 2019**

The **Association of Texas Professional Educators (ATPE)** appreciates this opportunity to offer input in opposition to House Bill (HB) 3623 by Representative Matt Schaefer.

Currently, some educators in Texas are employed under continuing contracts entitling them to continue in their position without annual nomination or reappointment. HB 3623 would add a provision to this law so that classroom teachers on continuing contracts lose their entitlement to continue if a majority of their students fail to meet a minimum growth standard to be determined by the district and approved by the Commissioner.

While ATPE supports the goal of ensuring teacher quality, we have two main concerns with the bill. First, HB 3623's reliance on an unspecified "minimum growth standard" suggests the use of a new measure of student growth that is likely to include value-added modeling (VAM). VAM has been widely criticized as a tool for high-stakes purposes, such as decisions about educators' continued employment. Also, VAM typically attempts to use students' standardized test scores to determine teacher impact on student achievement, even though the tests were not developed for such a purpose, while ignoring the plentiful other factors that affect student success. The bill also faces implementation issues related to this concern, as many teachers do not teach tested subjects or grades, and districts would need to determine alternative measures of student growth that would be consistent and fair for application to all educators in the district. Second, it is unclear if teachers whose students are not meeting HB 3623's "minimum growth standard" will be terminated or moved to a probationary contract status, and it is entirely unclear whether or how due process protections will apply in these cases.

We know that districts need effective teachers, but we also know that students' test scores are not a valid measure of the work teachers do. Teacher contract laws exist to preserve continuity and stability in the classroom, and existing Texas statutes provide ample flexibility for school districts to modify or terminate such contracts when necessary. ATPE recommends against further consideration of HB 3623 in favor of policies that promote improving teacher effectiveness using multiple tools and measures, including evaluations that help teachers grow rather than laws that serve to push teachers out of the profession, as this bill seems designed to do.

ATPE is pleased to offer further input on HB 3623. For additional information, contact ATPE Governmental Relations at (800) 777-2873 or [government@atpe.org](mailto:government@atpe.org).

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*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 approximately 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.*