



## Response to the House Public Education Committee's Formal Request for Information on Interim Charge 1[A]

September 30, 2020

**The Association of Texas Professional Educators (ATPE) offers the following input to the House Public Education Committee on Interim Charge 1[A] regarding House Bill (HB) 3 passed in 2019.** Specifically, the committee has requested input on “the Texas Education Agency’s (TEA) implementation of the bill, including the extensive rulemaking process and broad unintended consequence authority of the commissioner.” The committee is also studying the related “pay raises districts have provided to staff and the various approaches adopted to differentiate these salary increases according to experience.”

Recruitment and retention for any profession—including the teaching profession—are impacted by both practitioner and societal perceptions of the prestige, pay, and purpose of the profession. Although these factors interact with and impact one another, each is a discrete influence that can be increased or decreased through law and policy. Educators have long been drawn to teaching by the sense of purpose associated with the profession, but purpose alone is not enough to recruit and retain sufficient top-tier candidates. **The Legislature can and should continually seek to enact policies to enhance the prestige and pay associated with being a Texas professional educator.** Of the two, pay is perhaps the easiest for legislators to impact most directly.

ATPE has long supported increasing educator compensation to elevate the teaching profession. In peer nations with top-tier education systems, educators are viewed as highly trained and critically needed professionals, on par with their peers in business, law, and medicine. Compensation is one important factor in setting this heightened expectation. Higher pay serves to retain experienced educators and attract top-quality candidates to the education field, both of which translate to higher student achievement.

It is well-documented that teachers already work many hours over the standard 40-hour work week, and the unorthodox educational environment necessitated by the COVID-19 pandemic has placed even greater demands on educators’ schedules. Pre-pandemic data from the National Center for Education Statistics has shown educators work up to an additional 13 hours per week on average, with much of that time spent grading, planning lessons, and providing supplemental services to students. With the introduction of new online platforms and modes of teaching and learning, many teachers find themselves working more, not less. As we have heard from many ATPE members, veteran educators report contending with schedules and stress more typically associated with first-year teachers who must build lessons and classroom activities from scratch.

One difference between educators and other professionals who regularly exceed 40 hours a week is that educators do not see year-to-year pay raises that help keep their compensation at pace with inflation and other costs such as healthcare. To merely keep pace with inflation, an annual increase in salary must exceed 2.5%. To change perceptions and improve outcomes, the increases in compensation must be *permanent* and *meaningful*.

Through last session's HB 3, the Legislature addressed educator compensation from three angles: increasing the Minimum Salary Schedule, tying educator compensation increases to increases in school funding via the Basic Allotment, and enacting a performance pay program, the Teacher Incentive Allotment (TIA). ATPE supported many aspects of HB 3, including funding to increase base compensation for educators.

Concurrent with the increase to the minimum salary formulas, HB 3 also created a new paradigm by moving away from state-funded, across-the-board pay increases to permanently linking Basic Allotment increases to a percentage increase in teacher compensation at the district level. Although this sounds straightforward, in practice it produced wide variation between districts. First, HB 3's multitude of formula changes expectedly produced a broad range in the relative size of district funding increases. As a result, the Legislature tied the new compensation to the amount of each district's overall increase in funding instead of the more uniform increase in the Basic Allotment. Second, unlike the increase in the minimum salary schedule formulas or across-the-board pay raises in previous years that have affected salary only, the Legislature's use of the term "compensation" gave districts much wider discretion in distributing the funds. Compensation includes salary, benefits, and even bonuses. Additionally, compensation can be used for differentiated pay and need not be distributed evenly among all educators.

Based on feedback ATPE received from our members, the nature and size of compensation increases effected by HB 3 varied from district to district. Some districts, such as Austin ISD, raised teacher salaries between 6% and 7%. ATPE members in other districts reported raises in the 3% range, and some districts offered their teachers stipends or bonus checks in lieu of raises.

ATPE supports a compensation model that includes base salaries equal to or greater than the national average and competitive with private industry. In addition, ATPE supports differentiated pay for educators who undertake advanced certification or training, advanced coursework or degrees, or other professional duties they are required to perform outside normal instructional activities. Additionally, ATPE opposes the use of student performance as the determining factor for a teacher's compensation. Policies that adequately boost minimum salary formulas while also requiring districts to spend a portion of any state funding increases they receive on compensation are one method of achieving these goals. Viewed in that light, HB 3 took substantial steps toward improving teacher pay. At a minimum, **ATPE recommends that the Legislature ensure funding is in place to maintain educator salary increases under HB 3 and encourage districts to distribute any additional funding in the form of permanent raises.**

The Legislature also included within HB 3 the Teacher Incentive Allotment (TIA), designed to provide funds for districts to create optional performance-based pay programs at the local level. ATPE expressed reservations early on regarding three aspects of the TIA. First, we worried about the program's excessive reliance on data derived from students' standardized test results. Second, by tying substantial financial incentives for school districts and educators to teacher evaluations, the program could negatively impact the state's evaluation system, which was designed to give teachers honest feedback to help them hone their craft. Finally, we noted the TIA offers no guarantee of additional funding to any teacher who earns a merit designation because TIA funds flow to the district, not to individual educators. (Districts must use at least 90% of the TIA funds they receive on teacher compensation, but they are not required to increase the compensation of the teacher who earned the designation, and they are allowed to spend the funds on teachers who have not earned a merit designation.)

Proponents of the TIA are quick to note one of the program's main goals is incentivizing the placement of high-quality teachers in high-poverty campuses. Although ensuring at-risk students have access to high-quality teachers is a noble goal, accomplishing this goal does not require the use of a flawed system of merit designations. ATPE opposes systems that sort and rank teachers primarily based on measures of student performance that are at best one-dimensional and at worst inaccurate.

**ATPE supports differentiated pay programs that offer educators extra compensation for extra work or acceptance of a more challenging or high-need position.** Examples include running a student club, mentoring beginning teachers, serving as a team lead, becoming certified in a high-need subject area, or accepting a placement on a high-need campus. In many cases, teachers do these things without receiving any additional compensation, even though they take on significant extra work to fulfill such roles. Well-designed differentiated pay programs at the local level are opportunities to acknowledge educators who perform duties above and beyond their contractual obligations while also increasing staff involvement in important campus and district functions outside core instruction.

We know the state is likely to face significant budgetary pressures next session, and state agencies have already been instructed to cut their spending this year because of the financial constraints caused by the pandemic. Against this backdrop, it is worth noting that continued rollout of the TIA carries a significant cost to the Foundation School Program (FSP). The Texas Education Agency (TEA) has moved forward with implementation of the TIA despite the anticipated budget cuts. Furthermore, the agency has expedited its TIA-related rulemaking through several unorthodox practices, including approving local optional designation plans that were developed *before* HB 3 was written. The TIA program is expected to cost the agency approximately \$150 million in its first biennium, a cost that could easily jump into the billions as its rollout proceeds.

**Considering the controversial nature of the TIA and its many potential pitfalls, ATPE recommends the Legislature halt its implementation until school district budgets have stabilized. Doing so will help the state mitigate the risk of exacerbating the inequities deepened by the pandemic.** Furthermore, in the interest of improving educators' economic stability, ATPE recommends the committee focus its efforts on strengthening educators' base pay and more predictable compensation increases.

ATPE appreciates the opportunity to provide feedback during this process and invites House Public Education committee members and their staff to contact ATPE Governmental Relations at (800) 777-2873 or [government@atpe.org](mailto:government@atpe.org) for any additional information.