

HB 400: Increasing Efficiency in Public Schools

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Background

Texas' public education system has grown substantially larger and financially less efficient over the last quarter century. Both the state and local districts have continued to pour money into non-essential services while also reducing the flexibility needed for local administrators and teachers to respond to local conditions. With Texas now facing a substantial budget shortfall, the Legislature is faced with having to reduce spending in all areas of government, including public education. Despite arguments to the contrary, reducing funding for public schools can actually improve educational quality if the reductions are properly targeted and schools are given the flexibility to respond by allocating resources as needed. HB 400 is designed to do this by granting district administrators greater autonomy in allocating the financial and personnel resources within their district. To that end, the bill contains provisions that affect the termination of teachers, the state minimum salary schedule, class size, notices of public hearings, and a school district's right to declare financial exigency.

HB 400 Provisions

Educator Pay

Currently, section 21.402d of the Texas Education Code requires contract employees be paid according to a state mandated minimum salary schedule. HB 400 largely does away with this salary schedule, requiring school districts to develop their own compensation plans for contract employees, although it still contains language regarding an acceptable minimum compensation for teachers.

Many aspects of HB 400 emphasize that instructor pay be merit based. It shifts teacher compensation increases away from a longevity basis and toward that of excellence both in the classroom and around a campus/school district as a whole. This is an improvement over the current system. Research suggests that while many teachers improve significantly over the first five years of their careers, that development curve slows subsequently. The ability to reward teachers who are a district's best and brightest, rather than those who have simply held their job for longer, ensures greater competition and innovation within the teaching workforce.

The bill language allows for a great deal of flexibility in the creation of these plans, granting districts the flexibility they need

to meet their financial demands and the demands of their employees. What is ensured is that compensation plans that are developed will have the input of both administrators and teachers in the district.

Educator Employment and Termination

Section 21.103 of the Texas Education Code states that contract employees in public education, primarily teachers, must be given notice of non-contract renewal no later than 45 days before the final day of the school year. HB 400 would allow school districts to notify employees of non-contract renewal on the last day of the school year. The new deadline allows for school districts to receive its tax rolls for the following year, so they are aware of their fiscal situation before making personnel decisions.

HB 400 also allows for teacher furloughs of up to seven non-instructional days. This would save school districts money and greatly reduce the need for reductions in the teaching force.

Class Size

Where class size is concerned, HB 400 removes the hard cap of 22 students in K-4 classrooms and makes that number a district-wide average. It includes an alternative option of a 25 student hard cap. While the improved flexibility is good, the question remains as to why any class size limit was left in place. Research indicates that in a K-4 setting, class size becomes largely irrelevant once you get beyond 15 students. As there is no way for Texas to institute such a low cap, school districts should not be limited when it comes to distributing students in classrooms.

- **Recommendation:** Completely remove the current 22-1 class size limitation.

Conclusion

The concerns of those who oppose HB 400 are that the bill grants too much authority to local school district administrators. However, it grants the same authority that supervisors in the private sector have with their employees. If we are to improve the efficiency and quality of our public schools, administrators need the flexibility granted by HB 400 to make the decisions that will be best for students and taxpayers, rather than having the state dictate those decisions for them. ★