

# TIMELY TOPICS

## PROTECTING TEACHERS FOR SENDING STUDENTS TO THE OFFICE

“If you send too many students to the office, it could affect your evaluation.” How often have you heard this message, no matter how subtle? Every teacher has a right to send a student to the office in order to maintain an effective classroom for learning to occur. Now, the Texas Legislature has strengthened that right by passing legislation that prohibits a teacher’s evaluation from being lowered for doing so.

Senate Bill 1451 states that a teacher cannot receive an area of deficiency in their evaluation solely on the basis of disciplinary referrals. The legislature went a step further and changed state law to also prohibit school districts from taking adverse employment actions or disciplining a teacher for office referrals. They recognized that too often there is pressure by teachers to limit office referrals and that impacts the learning environment in the classroom.

### TEXAS EDUCATION CODE SECTION 21.352 - LOCAL ROLE

<b>LAW</b> <b>Teacher Appraisals</b>	(a) In appraising teachers, each school district shall use: (1) the appraisal process and performance criteria developed by the commissioner; or (2) an appraisal process and performance criteria: (A) developed by the district- and campus-level committees established under Section 11.251; (B) containing the items described by Sections 21.351(a)(1) and (2); and (C) adopted by the board of trustees.
<b>Added by Senate Bill 1451</b> <b>Effective 6/10/19</b>	(a-1) <u>A school district may not assign an area of deficiency to a teacher solely on the basis of disciplinary referrals made by the teacher or documentation regarding student conduct submitted by the teacher under Section 37.002. This subsection does not prohibit a teacher from being assigned an area of deficiency based on documented evidence of a deficiency in classroom management obtained through observation or a substantiated report.</u>

### TEXAS EDUCATION CODE SECTION 37.002 - REMOVAL BY TEACHER

<b>Added by Senate Bill 1451</b> <b>Effective 6/10/19</b>	(b-1) <u>A teacher may document any conduct by a student that does not conform to the student code of conduct adopted under Section 37.001 and may submit that documentation to the principal. A school district may not discipline a teacher on the basis of documentation submitted under this subsection.</u>
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