



Welcome!

# HB 1605 Webinar Series

Planning and Noninstructional Duties of Teachers

Friday, March 8, 2024

## Agenda

1. Welcome
2. Background on HB 1605
3. Teacher Planning and Noninstructional Duties
4. Frequently Asked Questions
5. Q&A

## FYIs



Please ask questions by submitting them via the **Q&A** function.



**This recording and these slides will be posted to the TEA website** after this webinar concludes



Reach out to [instructional.materials@tea.texas.gov](mailto:instructional.materials@tea.texas.gov) with additional questions

# Meet your Facilitator:



**Colin Dempsey**

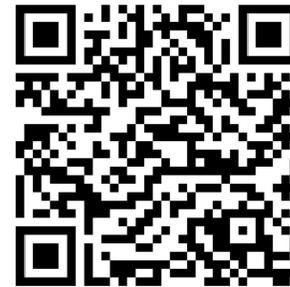
Division Director  
District Operations, Technology, and Sustainability Supports

Office of School Programs

## HB 1605 Webinar Series



*Additional Webinar  
Details Coming Soon*



Learn More:  
Visit the [HB 1605 website](#)

or

Contact Us:

[instructional.materials@tea.texas.gov](mailto:instructional.materials@tea.texas.gov)

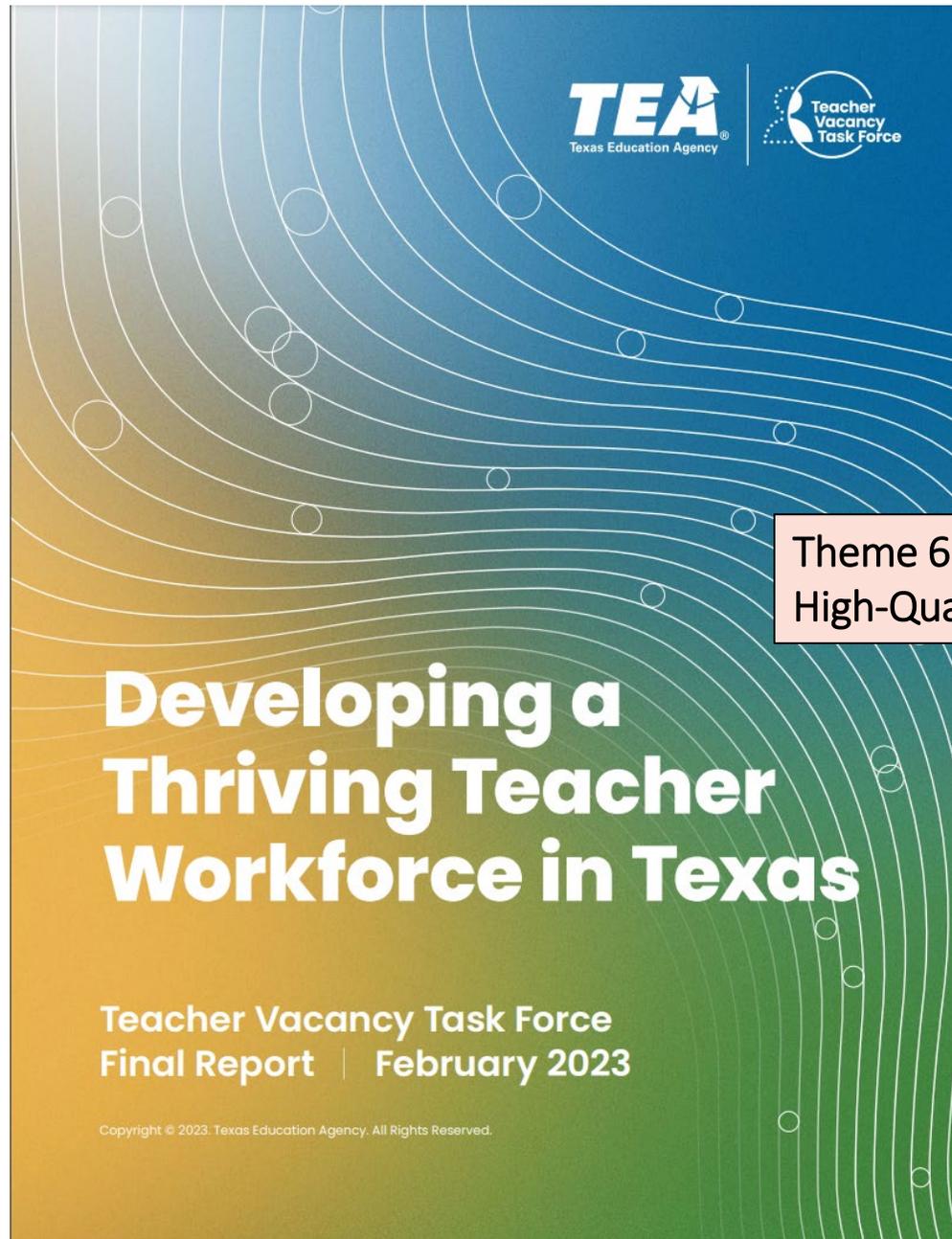
<https://tea.texas.gov/academics/instructional-materials/house-bill-1605>



# House Bill (HB) 1605, 88R

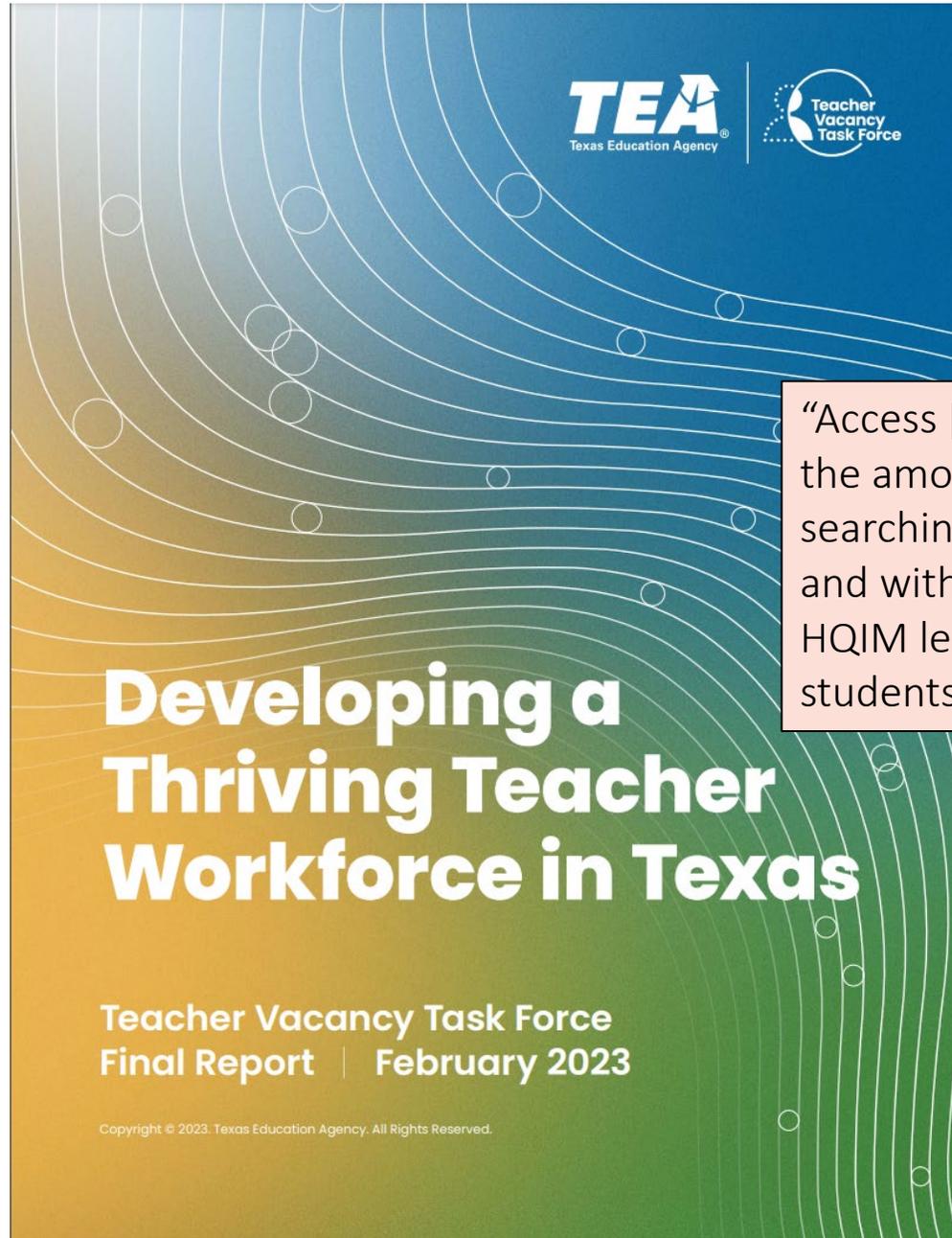


# Teacher Vacancy Task Force



Theme 6: Provide Access to and Support for High-Quality Instructional Materials

# What Teachers Tell Us They Need



“Access [to quality materials] reduces the amount of time teachers spend searching for and curating materials, and with support for implementation, HQIM leads to improved outcomes for students.”

# What Teachers Tell Us They Need From the Field

“A thorough and complete curriculum that allows teachers to teach the content rather than spend endless hours finding and planning what to teach.”

“Accessibility to materials, well written concrete representation of skills, and spiraling and reasoning for teaching particular skills in a particular manner.”

“All content is available for students.”

“I love the scaffolding, the way the lessons are structured, and the way it gives me more time to focus on how to teach rather than what I am teaching”

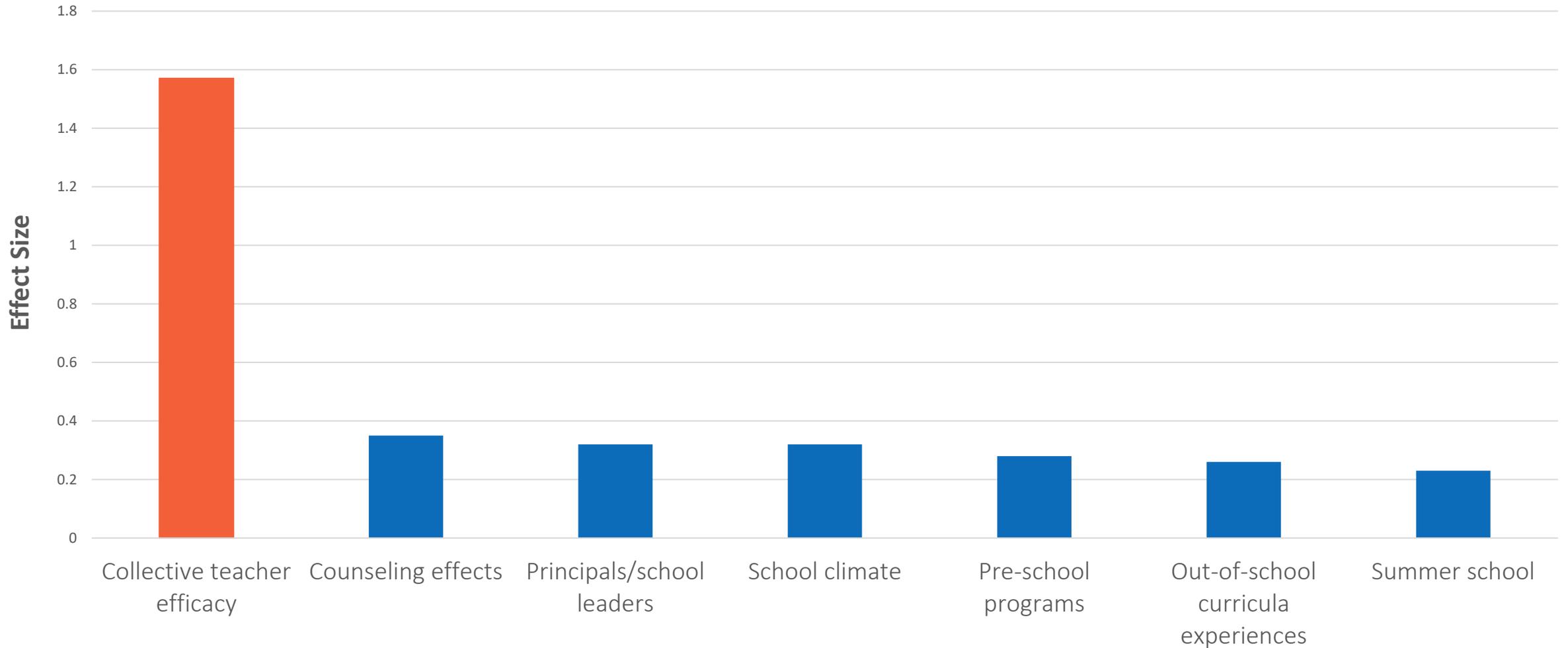
“Having this curriculum takes away from figuring out what to lesson plan and gives us time to internalize the lessons and the reasons, which makes the delivery very intentional and in turn, helps students to learn the concepts better.”

“Students enjoy the readers and hands-on tasks. The teacher guide and student materials are well-organized and allow you to spend more time internalizing the lesson rather than sourcing materials.”

“Everything is laid out for you and aligned with the state standards.”



# Teachers are the single most important in-school factor impacting student outcomes



# Many Hours Are Spent Developing Curriculum

Teachers are spending **7 hours per week** developing instructional materials but only have **3.75 hours per week** for planning in their master schedule.





# Lack of HQIM Leads to Lower Rigor in Classrooms

A national study examined student classroom work to see if it was on grade-level.<sup>1</sup>

only

**17%**

of lessons were at grade level  
(or higher)

TEA reproduced the study methodology with K-5 reading teachers in 26 Texas school systems.

only

**19%**

of lessons were at grade level  
(or higher)

**Students & teachers work hard.** Students get As and Bs in class but **proficiency does not grow** because **students are not consistently exposed to rigorous, grade level materials.**

# Definition of Instructional Materials

"Instructional material" means content that conveys the essential knowledge and skills of a subject in the public school curriculum through a medium or a combination of media for conveying information to a student. The term includes:

- a) material used by a teacher, including a lesson plan, answer key, grading rubric, or unit plan;
- b) material used by a principal or campus instructional leader to support instruction; and
- c) material used by a student, including a book, supplementary materials, a combination of a book, workbook, and supplementary materials, computer software, magnetic media, DVD, CD-ROM, computer courseware, on-line services, or an electronic medium, or other means of conveying information to the student or otherwise contributing to the learning process through electronic means, including open education resource instructional material.



# Categories of Instructional Materials

## Full-subject, Tier-1

instructional material designed to, if implemented as designed, provide a student with mastery of the essential knowledge and skills adopted by the [State Board of Education] for **a certain subject and grade level** in the required curriculum under Section [28.002](#) or for prekindergarten without the need for supplementation.

## Partial-subject, Tier-1

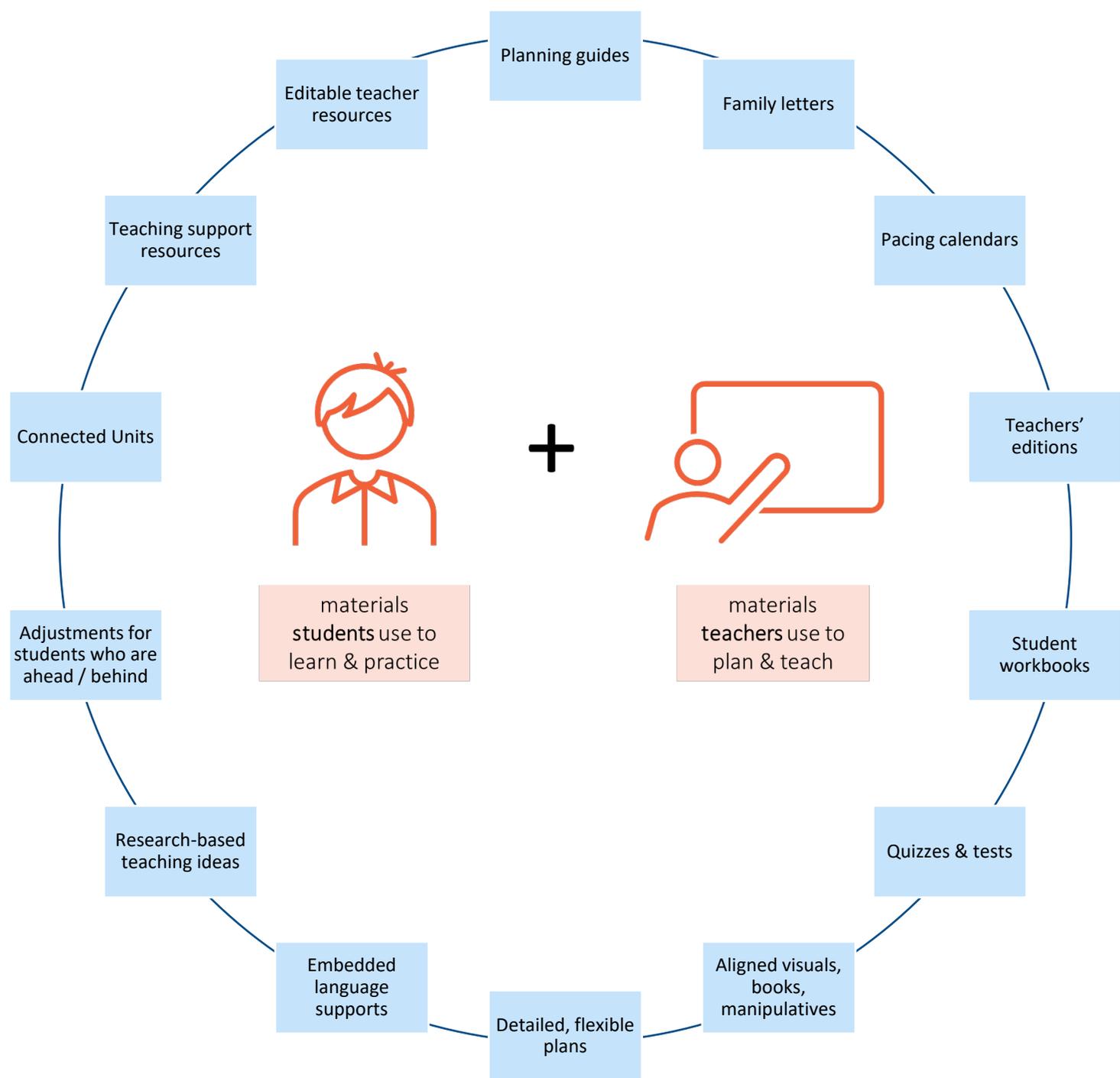
instructional material designed to, if implemented as designed, provide a student with mastery in a **portion of the essential knowledge and skills** adopted by the State Board of Education for **a certain subject and grade level** in the required curriculum under Section [28.002](#) or for prekindergarten without the need for supplementation in the essential knowledge and skills covered.

## Supplemental

instructional material designed to assist in the instruction of **one or more** of the essential knowledge and skills adopted by the State Board of Education for **a subject** in the required curriculum under Section [28.002](#) or for prekindergarten.



# Components of Full-Subject Tier-1 Instructional Materials



# Examples of full-subject tier one instructional materials

## Taking Apart Numbers and Shapes 1

### Writing Equivalent Expressions Using the Distributive Property

**WARM UP**  
Calculate the area of each rectangle. Show your work.

1.

2.

**LEARNING GOALS**

- Write, read, and evaluate equivalent numeric expressions.
- Identify the adjacent side lengths of a rectangle as factors of the area value.
- Identify parts of an expression, such as the product and the factors.
- Write equivalent numeric expressions for the area of a rectangle by decomposing one side length into the sum of two or more numbers.
- Apply the Distributive Property to rewrite the product of two factors.

**KEY TERMS**

- numeric expression
- equation
- base
- power
- exponent
- common factor
- relatively prime
- greatest common factor (GCF)
- multiple
- Commutative Property
- least common multiple (LCM)

**LESSON 1: Taking Apart Numbers and Shapes • 7**

## Factors and Multiples Summary

**KEY TERMS**

- numeric expression
- equation
- Distributive Property
- base
- power
- exponent
- common factor
- relatively prime
- greatest common factor (GCF)
- multiple
- Commutative Property
- least common multiple (LCM)

**LESSON 1: Taking Apart Numbers and Shapes**

A **numeric expression** is a mathematical phrase that contains numbers and operations. An **equation** is a mathematical sentence that uses an equals sign to show that two quantities are the same as one another.

The equation  $5 \times 27 = 135$  shows that the expression  $5 \times 27$  is equal to the expression 135. There are many ways to rewrite equivalent expressions using properties of operations. The **Distributive Property**, when applied for multiplication, states that for any numbers  $a$ ,  $b$ , and  $c$ ,  $a(b + c) = ab + ac$ .

For example, you can use the Distributive Property to rewrite the expression  $4(2 + 15)$ .

$$4(2 + 15) = 4 \cdot 2 + 4 \cdot 15$$

You can read and describe the expression  $4(2 + 15)$  in different ways.

For example, you can say:

- four times the quantity of two plus fifteen,
- four times the sum of two and fifteen, or
- the product of four and the sum of two and fifteen.

You can describe the expression  $4(2 + 15)$  as a product of two factors. The quantity  $(2 + 15)$  is both a single factor and a sum of two terms.

You can also use grouping symbols to show that you need to multiply each set of factors before you add them,  $(4 \cdot 2) + (4 \cdot 15)$ .

**TOPIC 1: Summary • 37**

**ACTIVITY 1.1** Connecting Area Models and the Distributive Property

The numeric expression of  $5 \times 27$  represents the area of the walkway from the Getting Started. A **numeric expression** is a mathematical phrase that contains numbers and operations.

The equation  $5 \times 27 = 135$  shows that the expression  $5 \times 27$  is equal to the expression 135.

An **equation** is a mathematical sentence that uses an equals sign to show that two or more quantities are the same as one another.

**1. Reflect on the different ways you can rewrite the product of 5 and 27. Select one of your area models to complete the example.**

How did you split the side length of 27?  $5 \times 27 = 5(\underline{\quad} + \underline{\quad})$

What are the factors of each smaller region?  $= (5 \cdot \underline{\quad}) + (5 \cdot \underline{\quad})$

What is the area of each smaller region?  $= \underline{\quad} + \underline{\quad}$

What is the total area?  $= \underline{\quad}$

**LESSON 1: Taking Apart Numbers and Shapes • 9**

## Module 1 Overview

### Composing and Decomposing

"Understanding of and proficiency with measurement should flourish in the middle grades, especially in conjunction with other parts of the mathematics curriculum."—Navigating through Measurement, page 4

**Why is this Module named Composing and Decomposing?**

Throughout Grade 6, students reason, look for structure, and identify similarities across mathematical domains: number and operations, proportionality, expressions, equations and relationships, measurement and data, and personal financial literacy. **Composing and Decomposing** begins this work by deepening student understanding of numbers and shapes and exploring their relationships. Students compose familiar numbers and shapes into less familiar or more complicated ones. They decompose large numbers and complex shapes into smaller numbers and simpler shapes to perform calculations. As students become more flexible with how they see shapes and numbers, they will better understand their structure, which in turn will enable them to develop strategies for solving problems across mathematical domains.

Students learn to approach a problem by decomposing (taking apart) or composing (putting together) objects or numbers already understood. By grade 6, students have developed some number sense; they have broken down numbers into sums, differences, products, and quotients. Now, students discover that numbers are composed of numerical expressions, and learn to make use of the distributive property. In previous grades, students studied basic shapes and determined their areas. Now, they calculate the area of complex shapes by composing them from familiar shapes. Students have studied whole numbers, fractions, and decimals. Now, they learn to see these forms of numbers as composing a single set that can all be plotted on the same number line.

Module 1 sets the stage for the habits of mind students will develop as they grow in their mathematical understanding. To see structure across domains, students must be able to shift perspective and see objects and numbers as entities on which to operate, not just as isolated objects or numbers. When students encounter a new idea, they should ask themselves, "Is this problem or idea similar to another problem or idea I've learned in the past?" "Are there similarities between this topic and a previously learned topic?"

**MODULE 1: Composing and Decomposing • 1A**

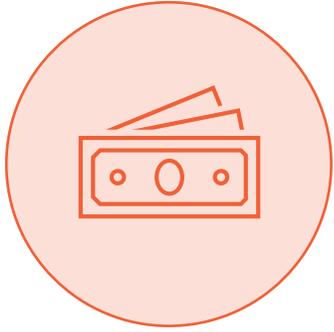
Examples of full-subject tier one instructional materials used by a teacher, including a lesson plan, answer key, grading rubric, or unit plan.

Initial lesson plans build teacher background knowledge and offer supports for lesson internalization. Teachers may use protected planning and prep time to internalize and optimize lessons to the needs of their students.



- Establishes a process for the SBOE to review and approve materials, supported by TEA
- Additional funding (on top of IMTA) provided to districts who choose to use SBOE approved materials: \$40/student. An additional \$20/student for districts printing state-owned materials
- SBOE textbook approval no longer limited to 50% of TEKS, no longer bound to 8-year cycle
- Districts exempted from RFP processes if purchasing SBOE approved materials
- Publishers must offer parent portals for instructional materials transparency
- Local curriculum reviews are established, funded, and can be initiated via parent requests, with SBOE approval of grade-level rigor rubric
- SBOE must add book/word list to the ELAR TEKS
- **Teachers cannot be required to use bi-weekly planning time to create initial instructional materials unless there is a supplemental duty agreement with the teacher**
- Requires the TEA to develop state-owned textbooks in certain grades & subjects, which are subject to approval by SBOE
- Provides optional teacher training on state-owned textbooks for districts to utilize, and grant program to educator prep programs to support
- Prohibits three-cueing in early literacy instruction

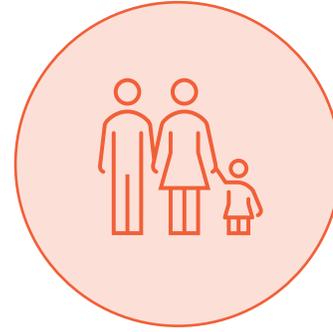
# HB 1605 Implications for LEAs



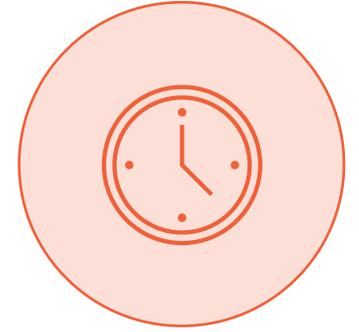
Additional Funding for Instructional Materials



New List of Approved Instructional Materials



Parent Access to Instructional Materials



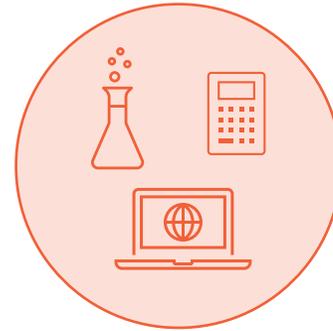
Teacher Time Protections



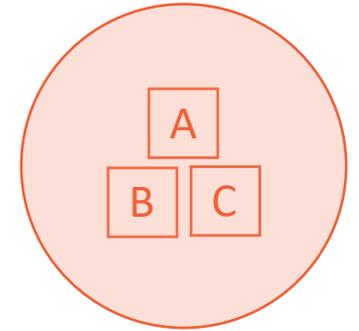
Updated Reporting Requirements



Open Education Resource Instructional Materials



Exception for Proclamation 2024



Prohibition of Three-Cueing

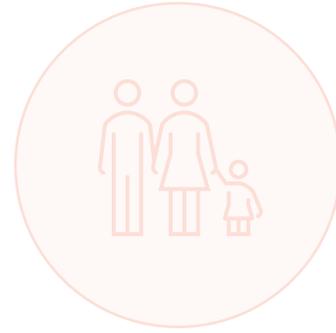
# Today's Focus



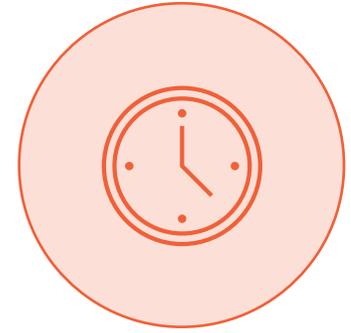
Additional Funding for Instructional Materials



New List of Approved Instructional Materials



Parent Access to Instructional Materials



Teacher Time Protections



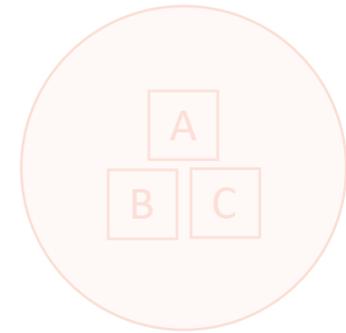
Updated Reporting Requirements



Open Education Resource Instructional Materials



Exception for Proclamation 2024



Prohibition of Three-Cueing

*The information included in this slide deck is provided as informational guidance only.*

*The Texas Education Agency does not provide legal advice to school systems. School systems should, therefore, consult with their own legal counsel regarding local implementation of the requirements of HB 1605 and associated legal requirements.*

# Statutory Citation - 11.164

Underlined formatting indicates an addition made by HB 1605

## Chapter 11. School Districts

### Subchapter D. Powers And Duties Of Board Of Trustees Of Independent School District

#### Section 11.164. Restricting Written Information

- (a) The board of trustees of each school district shall limit redundant requests for information and the number and length of written reports that a classroom teacher is required to prepare. A classroom teacher **may not be required** to prepare any written information **other than**:
- (1) any report concerning the health, safety, or welfare of a student;
  - (2) a report of a student's grade on an assignment or examination;
  - (3) a report of a student's academic progress in a class or course;
  - (4) a report of a student's grades at the end of each grade reporting period;
  - (5) a report on instructional materials;
  - (6) subject to Subsection (a-1), a unit or weekly lesson plan that outlines, in a brief and general manner, the information to be presented during each period at the secondary level or in each subject or topic at the elementary level;
  - (7) an attendance report;
  - (8) any report required for accreditation review;
  - (9) any information required by a school district that relates to a complaint, grievance, or actual or potential litigation and that requires the classroom teacher's involvement; or
  - (10) any information specifically required by law, rule, or regulation.
- (a-1) A unit or weekly lesson plan that is included in instructional material, as defined by Section 31.002, and adopted by the board of trustees of the school district at which a teacher is employed is sufficient to satisfy a requirement to prepare written information described by Subsection (a)(6).



# Statutory Citation - 21.4045

Underlined formatting indicates an addition made by HB 1605

Chapter 21. Educators

Subchapter I. Duties And Benefits

Section 21.4045. Planning And Noninstructional Duties Of Teachers

- (a) A school district may enter into a supplemental agreement with a classroom teacher under which the teacher agrees to perform a duty relating to initial lesson plan design or instructional material selection that is not a duty generally:
- (1) anticipated to be performed during the instructional day; and
  - (2) assigned to all classroom teachers of the same subject and grade level under those teachers' employment contracts.
- (b) A school district may not require a classroom teacher for a foundation curriculum course to spend planning and preparation time to which the teacher is entitled under Section 21.404 creating or selecting instructional materials to initially cover the applicable essential knowledge and skills for the course unless the teacher has entered into a supplemental agreement described by Subsection (a). This subsection may not be construed to prohibit a classroom teacher from choosing to spend the teacher's planning and preparation time creating or selecting instructional materials.
- (c) A supplemental agreement between a school district and a classroom teacher described by Subsection (a) under which a teacher is assigned responsibility for a greater number of duties unrelated to providing instruction than other full-time teachers of the same grade level in the district must explicitly state each of the teacher's duties unrelated to providing instruction.

Section 21.4045, Education Code applies beginning with the 2024-2025 school year.



# Initial Lesson Plan Design

A school district may not require a classroom teacher for a foundation curriculum course **to spend planning and preparation time** to which the teacher is entitled under Section 21.404 **creating or selecting instructional materials to initially cover** the applicable essential knowledge and skills for the course unless the teacher has entered into a supplemental agreement

## Creating Initial Lesson Plans

Initial lesson plan design means a teacher is creating detailed lesson plans “from scratch”.

Examples include, but are not limited to, creating initial daily lesson objectives, key points and aligned student activities or aligned assessments.

## Selecting Instructional Materials

Selecting Instructional materials means a classroom teacher is selecting the lesson plan materials and resources for the initial design of the unit or lesson.

Examples include, but are not limited to, identifying and or evaluating a text or resource to use as part of a lesson; creating or collating text excerpts from various sources.



# Statutory Citation - 21.404

Chapter 21. Educators  
Subchapter I. Duties And Benefits  
Section 21.404. Planning And Preparation Time

Each classroom teacher is entitled to at least 450 minutes within each two-week period for instructional preparation, including parent-teacher conferences, evaluating students' work, and planning. A planning and preparation period under this section may not be less than 45 minutes within the instructional day. During a planning and preparation period, a classroom teacher may not be required to participate in any other activity.



# How Are These Statutes Enforced?

Local school boards are responsible for ensuring the requirements of the Texas Education Code are followed within their school systems. In addition, TEA provides oversight.

If a school district were to violate Texas Education Code sections 11.164 and 21.4045, as with any other sections of the Texas Education Code, a teacher could file a grievance following the district's grievance procedures. If the school board denies the grievance, an appeal to the Commissioner could be made under Texas Education Code section 7.057.

If a violation of Texas Education Code section 11.164 or 21.4045 is a reason why teacher's contract is terminated, nonrenewed, or suspended without pay, as with any other violation, the teacher can appeal the action to the Commissioner under Texas Education Code section 21.301, and the teacher would not need to file a separate grievance in order to raise the claim to the Commissioner.

Separately, individuals can seek enforcement via the judicial system.

## Key Points

- The purpose of this new statute is to save and honor teacher time, as surfaced as a need by the Teacher Vacancy Task Force.
- The new statutory requirements applies:
  - only to initial lesson design, and
  - only to the 450 minutes of bi-weekly minimum planning time to which a teacher is entitled under 21.404.
- Districts have options to comply with statute:
  - A. Give teachers full tier 1 instructional materials, so they aren't required to do initial lesson design.
  - B. If teachers are going to be required to do initial lesson design: give teachers time outside of their 450-minute bi-weekly minimum planning time.
  - C. If teachers are going to be required to do initial lesson design and a district doesn't give them time outside of their 450-minute bi-weekly minimum planning time to do the initial lesson design, the district must give them a supplemental duty stipend.

# Practical Examples and Scenarios

# Scenario A

## Full Subject Tier-1 instructional materials are provided

A district has adopted full-subject tier one instructional materials for grade 3 math that include teacher-facing resources such as unit plans, unit overviews, and daily lesson plans. The district **encourages** teachers to use their 450-minute bi-weekly prep time to prepare for lesson delivery by reviewing the lesson plans in the instructional materials, internalizing the content, rehearsing their delivery, planning for adjustments required by IEPs, and planning any other differentiation needs. The district provides two additional 45-minute preparation periods a week, above the 450 minutes of protected preparation time, where teachers are **required** to do these planning activities.

Is this a violation of the teachers' protected planning and prep time?

**No, this is not a violation of the teachers' protected planning time. Teachers in this scenario are not required to design lessons nor select instructional materials from scratch at any time. Rather they are encouraged to plan for lesson delivery through a practice of internalization during their protected 450-minute biweekly prep time, and they are given additional time where internalization activities are required.**



# Scenario B

## Full Subject Tier-1 material components must be developed

Mrs. Johnson is a fourth-grade, self-contained teacher and has been assigned the task of writing the lesson plans for the other fourth grade teachers at her campus. This is not a duty the other fourth-grade teachers have outlined in their employment contract. Mrs. Johnson's district has provided a year-long scope and sequence of TEKS and her principal has asked her to develop the lesson plans aligned to this scope and sequence.

Does Mrs. Johnson require a supplemental duty contract for this lesson planning work?

**In this scenario, Mrs. Johnson cannot be required to develop initial lesson plans during her protected planning time. If the district expects Mrs. Johnson to complete these duties during the instructional day, the district must either (a) find additional time in the schedule for her to plan beyond the 450 minutes per week of planning time required by statute or (b) execute a supplemental duty contract for the lesson design work.**



# Examples of scheduling and staffing approaches to increase time available to classroom teachers

### MAKING ACCELERATED INSTRUCTION SUCCESSFUL

The information on this one-pager comes from interviews with 13 of the top 25 school districts in Texas who demonstrated accelerated learning between STAAR 2021 and STAAR 2022. These districts also met the 50+ minimum standard for percent eco-dis students served.

**IMPACTFUL FACTORS**

- Scheduling** - 100% of LEAs reworked their master schedule to ensure tutoring could take place during the school day. 92% also provided before/after school tutoring.
- Data Monitoring** - 100% of LEAs continuously use inform tutoring sessions and monitor student growth.
- Student groupings** - there are many ways to group tutoring sessions. LEAs with programs that made groupings were most successful in accelerating learning.
- Staffing** - districts named HB 4545 as a driving factor in efforts to ensure tutoring was available to students.

#### AVOID SILOS

Scheduling blocks and other existing initiatives can be repurposed or refined so that supplemental accelerated instruction fits in like a puzzle piece of a larger strategy to grow kids academically. All LEAs built tutoring as a cohesive part of their strategy.

#### COMMUNICATION

Communication with campus leaders, teachers, and guardians was key in implementing HB 4545 mandates.

85% of districts communicated with guardians about their tutoring plans in a face-to-face setting.

*"We had a consistent plan that supported all students, and we communicated this plan to parents, teachers, students, and guardians."*

### Corpus Christi ISD – Middle School Schedule

6th Grade				7th Grade				8th Grade			
Period	Start Time	End Time	Minutes	Period	Start Time	End Time	Minutes	Period	Start Time	End Time	Minutes
1st	8:50	9:44	54	1st	8:50	9:44	54	1st	8:50	9:44	54
2nd	9:44	10:35	51	2nd	9:44	10:35	51	2nd	9:44	10:35	51
3rd	10:38	11:29	51	3rd	10:38	11:29	51	3rd	10:38	11:29	51
Lunch	11:32	12:02	30	Lunch	11:32	12:02	30	Lunch	11:32	12:02	30
Advisory	12:05	12:35	30	Advisory	12:05	12:35	30	Advisory	12:05	12:35	30
4th	12:38	1:29	51	4th	12:38	1:29	51	4th	12:38	1:29	51
5th	1:32	2:23	51	5th	1:32	2:23	51	5th	1:32	2:23	51
6th	2:26	3:17	51	6th	2:26	3:17	51	6th	2:26	3:17	51
7th	3:20	4:10	50	7th	3:20	4:10	50	7th	3:20	4:10	50

# Accelerated Instruction Implementation Supports

[texas.gov/academics/learning-support-and-programs/accelerated-instruction#resources](https://texas.gov/academics/learning-support-and-programs/accelerated-instruction#resources)

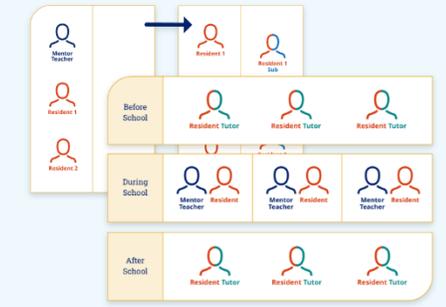
## Strategic Staffing Models

### Strategic Staffing Models

Our needs driven approach supports districts and their EPP partners to make shared decisions about strategic staffing models that address instructional needs.

To scale high quality, sustainable teacher residencies, TSS uses a needs driven approach with a continuum of strategic staffing models. The needs-based staffing model design provides short- and long-term solutions to instructional staffing challenges, maximizing learning for teacher candidates, and addressing student learning acceleration needs.

[VIEW STRATEGIC STAFFING MODELS](#)



<https://tss.tea.texas.gov/strategic-staffing-models>

# Scenario C

## Full Subject Tier-1 materials must be developed

Mr. Puente is a 6<sup>th</sup> grade science teacher. His district has adopted instructional materials approved by the SBOE in the most recent Proclamation. The materials provide weekly unit plans but do not have enough detail for daily lessons. Mr. Puente has a 45-minute planning period each day with an additional planning period of 45 minutes on Fridays. He uses his additional planning time to select and create lesson materials and activities for his science students.

Can the school district require Mr. Puente to select initial lesson plan instructional materials during the school day for his 6<sup>th</sup> grade science class?

**In this scenario, Mr. Puente has 450 minutes over two weeks of protected planning and prep time (45 min daily over 10 days). He also has an extra 90 minutes over two weeks as additional planning time. He has been required to lesson plan during his additional planning time. Therefore, a supplemental duty agreement as outlined in TEC §21.4045 would not be required.**



# Scenario D

## Full-subject Tier-1 materials are provided

Mrs. Pham teaches seventh and eighth grade math. Her district provides her with instructional materials that include unit plans and daily lesson plans as part of a full set of Tier-1 instructional materials.

Can Mrs. Pham be required to submit additional lesson plans?

**In this scenario, Mrs. Pham cannot be required to submit additional lesson plans because she already has instructional materials adopted by the district that meet the standards outlined in TEC §11.164(a-1).**



# Scenario E

## Some components of Tier-1 materials are provided

A teacher chooses to use their planning time to refine and supplement the lesson plans provided by the district. The district provides a scope and sequence and some instructional materials but does not provide unit plans.

The district does not provide time for this teacher outside of the protected planning time to create a unit plan.

Does this teacher require a supplemental contract for lesson planning?

**In this scenario a supplemental duty agreement as outlined in TEC §21.4045 would be required because the teacher has been given some materials but not all and is still required to complete initial unit plan design work. The district could also give teachers time outside of their 450-minute bi-weekly minimum planning time to satisfy the new statute.**



# Q&A

# Question and Answer



Please ask questions by submitting them via the **FAQ** function.

You will see replies in the Q&A window. The host can also answer your question live (out loud). You will see a notification in the Q&A window if the host plans to do this.

# Exit Ticket

**Please take a moment to complete our exit ticket:**

<https://tinyurl.com/HB1605Webinar>



**Thank You!**