

JANUARY 12, 2026

TO: TEXAS EDUCATION AGENCY

**RE: PROPOSED REPEAL AND NEW RULES FOR 19 TAC CHAPTER 150,
COMMISSIONER'S RULES CONCERNING EDUCATOR APPRAISAL AND TEACHER
INCENTIVE ALLOTMENT**

Commissioner Morath and the Texas Education Agency,

On behalf of Philanthropy Advocates and the 11 undersigned organizations, thank you for the opportunity to provide comments on the proposed rules implementing key provisions of House Bill 2 related to the Teacher Incentive Allotment. We appreciate the agency's continued leadership and partnership in advancing policies that strengthen the teacher workforce through pay and retention strategies while always prioritizing student outcomes.

I. Codification of the Local Optional Teacher Designation System

We commend the agency for recodifying existing Teacher Incentive Allotment practices into rule through the Local Optional Teacher Designation System. The consistency between these proposed rules and the previous iteration provides clarity, consistency, and stability for districts and preserves the performance-based design principles that have made TIA an effective tool for improving instructional quality and student outcomes.

Ensuring that Texas' most effective teachers are eligible for meaningful and sustained compensation is essential to improving student achievement and maintaining high-quality instruction in classrooms across the state. Research and experience consistently show that retaining highly effective educators is one of the most impactful strategies for improving student outcomes, particularly for students in historically underserved communities.

We are especially encouraged by the agency's commitment to preserving the core design principles of the Teacher Incentive Allotment by continuing to emphasize demonstrated effectiveness, objective measures of student growth, and local systems that drive continuous improvement. These principles are critical to ensuring that the allotment remains focused on student success rather than tenure alone, and that districts are incentivized to build systems that identify, develop, and retain excellent teachers.

II. Implementation of the Enhanced Teacher Incentive Allotment Designation

We also appreciate the agency's work to implement the new Enhanced Teacher Incentive Allotment designation created in statute under HB 2. The enhanced designation represents an important policy advancement by further rewarding the state's highest-performing teachers and reinforcing the Legislature's intent to strengthen retention incentives for educators, and campus leaders, who consistently deliver strong outcomes for students.

The proposed rules also deliver on the intent of the House Bill 2 to equip districts to move towards strategic staffing models and compensation strategies that are tied to effectiveness and outcomes, rather than simply years of tenure. The proposed rules ensure that the additional dollars tied to the Enhanced Teacher Incentive Allotment are awarded to districts that implement system changes to how

they are evaluating teachers as well as campus administrators. We believe that the implementation of these rules and policies will lead to needed systems level changes across districts and schools that will drive increased effectiveness among staff and change the way that districts approach staffing.

We are encouraged that the proposed rules maintain a clear focus on performance and outcomes, rather than tenure alone, and continue to center student success as the core purpose of the allotment. These design choices are critical to ensuring that enhanced incentives drive meaningful improvements in instructional quality across the state.

III. Clarification Needed Regarding Redesignation After the Five-Year Period

While we are broadly supportive of the proposed rules, we respectfully request clarification related to educator eligibility for the Teacher Incentive Allotment designation following the initial five-year designation period.

As currently drafted, the rule language in proposed 19 TAC §150.1041 (b)(c) describing eligibility for the designation appears to suggest that teachers who continue to perform at Recognized or Exemplary levels may be required to experience a year without being designated (and compensated) before being redesignated at the same level. This interpretation could lead to confusion among stakeholders and risks creating unintended disincentives for some of Texas' highest-performing teachers.

Given the clear legislative intent in HB 2 to strengthen retention of highly effective educators, we urge the agency to clarify or revise the rule language to explicitly allow teachers who continue to meet performance standards to be redesignated at the same level without a lapse in eligibility or compensation. Ensuring continuity of designation for consistently high-performing teachers will better align the rules with statutory intent, reduce uncertainty for districts, and support long-term retention of effective educators in the classroom.

Clear and unambiguous guidance on this issue is especially important as districts plan for system design, educator communication, and financial sustainability. Ambiguity around redesignation could undermine confidence in the enhanced designation and weaken its effectiveness as a tool for retaining the teachers who have the greatest impact on student outcomes.

IV. Reinstating of the Minimum Expectations for Designations

In the proposed rules for Teacher Designation Performance Standard in §150.1043, the Agency has removed a key provision that required teachers earning designations to meet a minimum dimension score of proficient, in addition to the average scores of 3.5 or greater as defined by the corresponding designation level. The removal of this minimum dimension score threshold creates a gap in the system by allowing teachers who still demonstrate significant gaps in key instructional skills to still be designated due to increased scores in other domains.

While we certainly appreciate the efforts by the agency to increase access to being awarded a TIA designation, allowing this loophole could weaken the system by allowing teachers who still demonstrate significant gaps in key instructional skills to be designated, and later be leveraged for programs outlined by statute to support the lowest performing students, while still needing significant support and development as a teacher. We recommend restoring the minimum dimension score requirement to guarantee that students, particularly those in high-need settings, receive instruction and targeted supports from teachers who are effective in every area of practice, reinforcing confidence in the program.



If it is the agency's intent to remove the minimum dimension score requirement, we respectfully recommend the inclusion of additional guardrails to preserve the integrity and rigor of the designation system. At a minimum, the agency could require that teachers not earn a score of 1, or multiple scores of 2, across evaluation domains in order to be eligible for a designation. These types of baseline safeguards would help ensure that educators earning designations do not demonstrate significant deficiencies in critical areas of instructional practice.

Additionally, the agency could provide explicit guidance or encouragement for districts to establish local minimum score thresholds as part of their Local Optional Teacher Designation System plans. Clear expectations around baseline performance, even if locally determined, would reinforce confidence in the designation process and help districts maintain a strong focus on comprehensive instructional effectiveness while expanding access to designations.

We appreciate the agency's commitment to collaboration and continuous improvement and offer these comments in the spirit of strengthening a program that is already delivering meaningful results for Texas students. We look forward to continued partnership as these rules are finalized and implemented.

Thank you for your consideration.

Gabe Grantham
Director of Policy and Government Affairs
Philanthropy Advocates

Supporting Organizations/Institutions:

