

Briefing Book on Public Education Legislation

Texas Education Agency

83rd Texas Legislative Session

July 2013

HB 2103

Amends Section 1.005 and adds Section 1.006, Education Code

Summary: HB 2103 relates to education research centers and the sharing of educational data between state agencies; redesignating certain fees as charges.

Change from current law: HB 2103 makes several changes to the oversight and operations of education research centers (ERCs).

Section 1.005 defines the establishment and operation of the ERCs, and TEA has been removed from a direct oversight role with the ERCs. A consortium of higher education institutions can become an ERC and neither the THECB nor TEA can be an ERC. THECB selects the ERCs, and the ERCs will operate under contracts with THECB alone lasting 10 years. Cooperating agency was defined as TEA, THECB, and Texas Workforce Commission. The 45-day notice to legislative leadership of directive studies was removed. Agency data shall be provided for the preceding 20 years and updated at least once a year. THECB may enter into data sharing agreements with education agencies, other states, local agencies, and organizations that provide educational services. A researcher may use any data an ERC has collected and stored. TEA's rulemaking authority was removed. The authority to recover costs from the ERCs to support FTEs at the agency was removed.

Section 1.006 defines the oversight of the ERCs by an advisory board. TEA no longer jointly creates and runs the advisory board, and board membership has been redefined. TEA has a seat on the board as do the ERCs. Parameters defining board consideration and approval of research proposed to be conducted at the ERCs are specified. A quarterly meeting schedule for the advisory board is specified. The advisory board may create committees and subcommittees when deemed convenient or necessary.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The memorandum of understanding between TEA and THECB will be revised.

Outstanding Issues: None

For further information, please contact: Research and Analysis,
(512) 475-3523

Rulemaking Authority: None

Does this expressly apply to charters? Not applicable

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 833

Amends Section 7.029(b-1), Education Code

Summary: This bill directs the agency to collect data through the Public Education Information Management System (PEIMS) as to the foster care status of students.

Change from current law: Requires districts to report on the foster care status of students.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Create and implement rules to collect data through PEIMS as to the foster care status of students.

Outstanding Issues: None

For further information, please contact: Federal and State Education Policy,
(512)463-9414

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes, districts must identify students in foster care in PEIMS.

Does this bill require the agency or ISD to post information to their website? No

HB 1296

Adds Sections 7.040 and 61.0907, Education Code

Summary: TEA must prepare information comparing institutions of higher education (IHE) in Texas and post the information on the agency's website. The information must:

- identify postsecondary education and career opportunities, including information that states the benefits of four-year and two-year higher education programs, postsecondary technical education, skilled workforce careers, and career education programs;
- compare each IHE with other institutions regarding:
 - the relative cost of tuition;
 - the retention rate of students;
 - the graduation rate of students;
 - the average student debt;
 - the loan repayment rate of students; and
 - the employment rate of students

- identify the state's future workforce needs, as projected by the Texas Workforce Commission (TWC)
- include annual wage information for the top 10 highest demand jobs in this state, as identified by the TWC

Information must be given to a public school student who requests the information. Each IHE in Texas must include on its website, in a prominent location, a link to the information posted on TEA's website.

Change from current law: Current law does not require these activities.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Curriculum Division, (512)463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes, TEA must post the information described in the summary above. IHEs must post a link to the information on TEA's website.

HB 2952

Amends Subsection 7.057(c), Education Code

Summary: The amended subsection applies to an appeal against a school district that the commissioner decides on the basis of a substantial evidence review of the district record. The amendment provides that the commissioner shall issue a decision in the appeal not later than the 240th day after the appeal is filed. The parties to the appeal may agree to extend the deadline by not more than 60 days.

Change from current law: Currently, the amended subsection does not specify a time period.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 3

Adds Section 7.064, Education Code

Summary: The Commissioner is required to investigate available options for the state to join a consortium of states for the purpose of developing sequences of academically rigorous career and technology courses in career areas that are high-demand, high-wage career areas in this state.

If the commissioner determines that joining a consortium of states for this purpose would be beneficial for the educational and career success of students in the state, the commissioner may join the consortium on behalf of the state.

Change from current law: There is not a specific provision in current law for investigating and joining this consortium.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 2058

Amends Section 7.111(a) and (c) and Adds Subsection 7.111(a-1), Education Code

Summary: This legislation streamlines the eligibility requirements for high school equivalency testing for individuals under age 18. It removes the restriction on the type of court order required and the prohibition against individuals under 18 from taking the test online. References to the adjutant general's department are removed.

Change from current law: Currently, the court orders that are required to be eligible to take the test must be based on the code of criminal procedure for failure to attend school. The legislation expands that to any court order. Additionally, individuals under 18 are no longer prohibited from taking the high school equivalency examinations online.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Amend Texas Administrative Code rules.

Outstanding Issues: None

For further information, please contact: Federal and State Education Policy, (512)463-9414

Rulemaking Authority: Commissioner and SBOE.

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 1406

Adds Section 8.0531, Education Code

Summary: Instructional lessons developed as part of a curriculum management system by a regional education service center (ESC), acting alone or in collaboration with one or more other ESCs must be subject to the same review and adoption process as instructional materials.

Change from current law: Under current law, decisions regarding instructional lessons and curriculum management systems are left to local district discretion and lessons and curriculum management systems are not currently subject to any sort of review or adoption by the state.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1871

Adds Subsection 11.0581(e), Education Code

Summary: Adds a subsection that applies only to a school district with territory in at least of four counties, each of which has a population of less than 46,000. None of the school district's territory may be located in a municipality. The new subsection provides that the school district's proportion of joint election expenses must correspond to the proportion that the number of voters in the school district bears to the total number of voters in all political subdivisions participating in the joint election.

Change from current law: Currently, Section 11.0581 does not provide a proportion for a school district's share of joint election expenses. Under Section 271.004, Election Code, the expenses are allocated as provided by the joint election agreement.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The joint election agreement applicable to the school district to which the new subsection applies must be revised to comply with subsection.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 343

Amends Section 11.064 and adds Section 11.0641, Education Code

Summary: New Section 11.0641 provides a temporary alternative to Section 11.064 that applies only to trustees of an independent school district located in a county that is on an international border and in which a municipality with a population of 600,000 or more is located.

Each member of the board of trustees is required to file a financial statement with the board of trustees and with the commissioner's court. The statement is subject to certain provisions of Chapter 572, Government Code. Failing to file is a Class C misdemeanor and a late filing is subject to a civil penalty payable to the county.

The section expires on January 1, 2019 and trustees in the applicable county will again be subject to Section 11.064 at that time.

Change from current law: Under Section 11.064, which remains applicable to all other independent school districts, authorizes the board of trustees by resolution to require members to file financial statement with the board and the Texas Ethics Commission. Section 11.064 also requires the commissioner of education to order a board of trustees to file financial statements under certain circumstances.

Effective Date: The new section applies beginning January 1, 2015.

Action required for 2013-14 School Year: None

Outstanding Issues: The new section applies beginning January 1, 2015. The new section expires January 1, 2019.

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? It modifies a reporting requirement for a certain school district.

Does this bill require the agency or ISD to post information to their website? No

HB 628

Amends Section 11.1512, Education Code

Summary: These new subsections provide that a member of the board of trustees of a school district, when acting in the member's official capacity, has a right of access to records maintained by the district and the district must provide such information to a board member without requiring a board member to submit a public information request. The district may withhold or redact information that is excepted from disclosure or confidential under chapter 552 of the Government Code or other law, including FERPA.

A school district must publically post the cost of responding to one or more requests submitted by a member of the board if the requests are for 200 or more pages of material in a 90-day period. The number of such requests submitted to the school district during the preceding school year and the total cost to the school district for that school year of responding to such requests must be reported annually to TEA by September 1.

Change from current law: Such requests are not currently addressed in the Education or Government Codes.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: School districts must process such requests for information under the statute as amended.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes; school districts must annually report to TEA the number of such requests and total cost of responding to these requests for the previous school year.

Does this bill require the agency or ISD to post information to their website? No; however, a school district is required to post, in a place convenient to the public, the cost of responding to one or more of a member's requests if the requests are for 200 or more pages of material in a 90-day period.

HB 2961

Amends Section 11.1514, Education Code and amends 552.024 and 552.147, Government Code

Summary: A school district may not require an employee or former employee of the district to choose whether to permit public access to the person's social security number. The social security number of an employee of a school district in the custody of the school district is confidential. Finally, the board of trustees of an independent school district must adopt a policy prohibiting the use of a district employee's social security number as an employee identifier other than for tax purposes.

Change from current law: Currently, an employee or former employee of a school district may choose whether to allow public access to the person's social security number and an employee's social security number in the custody of a school district is not confidential. The requirement that a school district adopt a policy prohibiting the use of social security numbers as employee identifiers is not currently in statute.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: School districts must keep social security numbers confidential and adopt a policy prohibiting the use of a district employee's social security number as an employee identifier other than for tax purposes.

Outstanding Issues: None

For further information, please contact: Rulemaking Authority: None
Office of Legal Services
(512)463-9720

Does this expressly apply to charters? Sections 552.024 and 552.147 of the Government Code apply to charter schools and section 11.1514 of the Education Code (adopt a policy prohibiting the use of the SSN as an employee identifier) does not apply to charter schools.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 1

Adds Sections 11.1542 and 11.1543, Education Code

Summary: This bill requires the board of trustees of an ISD to give open-enrollment charter schools the opportunity to make an offer for sale or lease of unused or underused property that the district intends to offer for sale or lease to other entities.

It prevents ISDs from charging rent or requiring the purchase of facilities when a campus or campus program charter is granted as the result of a conversion of the status of an existing school district campus. It also prohibits an ISD from charging a campus or campus program charter for services in an amount greater than the cost of providing the services.

Change from current law: Section 11.1542 of the Education Code is added to require the board of trustees of a school district to give each open-enrollment charter school located wholly or partly within the boundaries of the district the opportunity to make an offer before offering the facility for sale or lease to any other specific entity if the district intends to sell, lease or allow use for a purpose other than a district purpose of an unused or underused district facility.

Section 11.1543 of the Education Code is added to prevent an ISD from requiring a campus or campus program charter that was granted as the result of a conversion of the status of an existing school district

campus to pay rent for or to purchase a facility in order to use the facility or to pay for any service provided by the district under a contract between the district and the open-enrollment charter in an amount that is greater than the amount of the actual cost to the district of providing the service.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules. Districts will be required to comply with §11.1542 and §11.1543.

Outstanding Issues: None

For further information, please contact: Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes

HB 2607

Adds Subsection 11.171(c), Education Code

Summary: The new provision requires that a school district grievance policy allow an employee bringing a grievance under Section 11.171(a) to be represented by the employee's attorney or other representative through a telephone conference call at any formal grievance proceeding, hearing, or conference at which the employee is entitled to representation under the policy, if the district has equipment for a telephone conference.

Change from current law: Section 11.171 currently does not address representation by telephone conference.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Revise grievance policy to comply with new Section 11.171(c) if necessary.

Outstanding Issues: None

For further information, please contact: Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 2

Adds Section 12.052, Education Code

Summary: Section 2 adds the requirement that the Board of Trustees of a school district or the governing body of a home-rule district must vote on any petition presented regarding the conversion of a campus or a program on a campus to a charter.

Change from current law: Yes, the change adds the requirement that the board or governing body shall vote on any petition for campus conversion rather than may vote.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Districts will be required to comply with §12.052. School districts or home-rule districts must ensure that their local policies reflect this change in law. Any instances of a petition will need to be followed forthright.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 3

Adds Section 12.0522, Education Code

Summary: Section 3 outlines the parameters in which the Board of Trustees of a school district or the governing body of a home-rule district may grant a district charter. The new statute limits the granting of a charter to one or more campuses serving no more than 15% of the total district student enrollment (in the preceding school year). This percentage limit does not constrain the district from granting a charter to at least one feeder pattern (elementary, middle or junior, and high). District charters may be granted to any campus that has received the lowest performance rating. A district charter granted under the Subchapter C will not affect the cap, but will operate as a Subchapter D open-enrollment charter school.

Change from current law: Yes, this creates a new statute.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules. Districts will be required to comply with §12.0522.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 4

Adds Sections 12.0531 and 12.0532, Education Code

Summary: Section 4 requires performance contracts for the principal or other equivalent chief operating officer when campus or campus program charters are granted.

Change from current law: Section 12.0531 of the Education Code is added to require the board of trustees of a school district that grants a campus or program charter to issue performance contracts to the principal or equivalent chief operating officer of the campus or program. The contract must specify the enhanced authority granted to the principal or equivalent officer in order to achieve the academic goals that must be met. The statute specifies that the charter granted under this subchapter expires 10 years from the date the charter is granted unless the specified goals are substantially met, as determined by the board of trustees of the school district that granted the charter.

Section 12.0532 specifies provisions relating to neighborhood schools. Charters granted by this subchapter can be designated as neighborhood schools, as determined by the board of trustees. The principal or chief operating officer of a neighborhood school shall manage funding in the manner the principal or other officer determines best meets the needs of the students. The new language allows the district to retain the portion of funding that the district generally withholds from a campus for costs associated with the salary of the district superintendent or other district governance. The principal or equivalent chief operating officer may use school funding to purchase services (including bus service, facilities maintenance services, and other services) from

the district in which the school is located. The school shall pay for services in an amount that reflects the actual cost to the district of providing the service.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Districts granting charters will be required to comply with §12.0531 and §12.0532.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 5

Adds Subsection 12.055(b), Education Code

Summary: Section 5 states that a school district may contract with another district or a charter school for services at a campus charter and any employee of the district or open-enrollment charter school providing such services is eligible for membership in and benefits from the Teachers' Retirement System of Texas if the employee would be eligible for membership and benefits if holding the same position at the employing district or open-enrollment charter school.

Change from current law: Yes, this adds to the existing statute.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Districts and charters will be required to comply with § 12.055 and ensure that any employee providing contractual services has access to membership and benefits with the Teachers' Retirement System of Texas.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 6, 8 and 13

Amends Sections 12.056, 12.059 and 12.102, Education Code

Summary: Section 6, 8 and 13 add provisions for which a charter school is held accountable.

Change from current law: In addition to the current provisions in Chapter 39, Subchapters B, C, E, and J, a charter will also be held to the public school accountability provisions under Chapter 39, Subchapters D and F (Financial Accountability and Procedures for Challenge of Accountability Determination, Intervention or Sanction).

Effective Date: September 1, 2013

Action required for 2013-14 School Year: No

Outstanding Issues: None

For further information, please contact: Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 7

Amends Section 12.057, Education Code

Summary: Section 7 states that an employee of an open-enrollment charter providing services at a campus is eligible for membership in the Teachers' Retirement System of Texas in the same manner and extent as a qualified employee of an independent school district employed on a regularly operating campus or program.

Change from current law: Yes, this amendment expands the coverage of TRS to include employees of charter holders working on a charter campus.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: For any employee of the charter covered under the system, the charter is responsible for making any contribution that would otherwise be the legal responsibility of the school district and the state is responsible for making contributions to the same extent it would be legally responsible if the employee were a school district employee.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 9,17, 21, 22 and 31

Amends Sections 12.101, 12.1057, 12.112, 12.113 and 12.119, Education Code

Summary: This bill gives the commissioner of education the authority to grant an open-enrollment charter. After thoroughly investigating and evaluating an applicant the commissioner, in coordination with a member of the State Board of Education (SBOE) designated for the purpose by the chair of the board, may grant a charter. In addition to the financial, governing, and operational standards outlined in the statute, the requirements are expanded to include an educational standard. The commissioner determines a charter applicant's capability of carrying out the responsibilities and the likelihood of operating a school of high quality. Any entity (charter, corporate affiliate of, or substantially related party to an entity) that has within the preceding 10 years had a charter surrendered, revoked, denied renewal, or returned under this subchapter or under the laws of another state will not be eligible for a charter. The commissioner shall notify the SBOE of each charter the commissioner proposes to grant. Unless before the 90 day after notification a majority of the members of the board present and vote to veto the charter the commissioner's proposal to grant a charter takes effect (b-0). The amendment allows for a graduated cap increase on open-enrollment charters from 215 to 305.

The increase allows for:

215 charters through the fiscal year ending August 31, 2014;

225 charters beginning September 1, 2014;

240 charters beginning September 1, 2015;

255 charters beginning September 1, 2016;

270 charters beginning September 1, 2017; and

285 charters beginning September 1, 2018. (b-1)

And establishes the cap of 305 charters beginning September 1, 2019. (b-2)

No more than one charter for an open-enrollment charter school shall be granted to any charter holder. With written consent of current charter holders effected or at their

request, the commissioner may consolidate multiple charters held by multiple charter holders into a single charter. (b-3)

New charter school campuses may be established under an existing charter evaluated under standard accountability procedures without the consent of the commissioner, if the charter has an accreditation status of accredited, at least 50% of the students are in tested grades, and at least 50% of those students have been enrolled in the school for at least three years. Additionally the charter district rating must be the highest or second highest performance rating for three of the last five years with at least 75% of the campuses receiving a rating of the highest or second highest in student performance category and no campuses with a rating of the lowest performance rating category in the most recent ratings. A 60 day timeline for written disapproval of the expansion is established. (b-4)

Charters are granted for an initial five year term. (b-5)

Charter granted for drop-out recovery does not counted against the cap. The criteria of for drop out recovery is defined in 12.1141(c) (b-7)

Financial standards for an applicant cannot exclude an applicant solely because the applicant fails to demonstrate having a certain amount of assets. Available funding is not to exclude loans or lines of credit.

Sections 17, 21, 22 and 31 make conforming changes provided for the commissioner of education rather than the State Board of Education is the authorizing entity.

Change from current law: Yes, throughout §12.101 there is conforming language providing for the commissioner of education rather than the State Board of Education to be the authorizing entity. There is a graduated extension of the cap to a new total of 305.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules. New timelines will be established allowing for the veto of proposed charters by the State Board of Education members. Procedures and processes will be re-examined to allow for the new provisions of the statute as well as being reflected in applications and petitions.

Outstanding Issues: The timeline for interviewing charter applicants and granting of charters falls the week after the enactment date of the statute.

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 10

Adds Section 12.1011, Education Code

Summary: Section 10 provides for out of state applicants to be granted charters. The charter applicant's performance in another state shall be comparable to the highest or second highest rating. Management of corporate affairs may be nested with a member entity provide such entity changes members of the governing body only upon approval of the commissioner of education. The term for a charter granted is 5 years.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules.

Outstanding Issues: A crosswalk or evaluation of the reciprocity of state performance assessments will need to be developed.

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

SB 2, Section 11

Adds 12.1013, Education Code

Summary: Section 12.1013 adds an annual report prepared by an education research center that compares the performance of open-enrollment charters schools to other campuses and an analysis of whether the performance of campuses would improve were school districts to be consolidated within a county.

Change from current law: TEC 12.1013 adds an annual report prepared by an education research center that compares the performance of open-enrollment charters granted by the SBOE to open-enrollment charters granted

by the commissioner, campus charters, and matched traditional campuses. Campuses are compared on a variety of indicators.

The report shall also include an analysis of whether the performance of matched traditional campuses would improve if school districts were consolidated within a county. The analysis applies only to certain counties. The report shall be released annually under Chapter 39, Subchapters J and K.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: The agency will select an ERC to prepare a report to first be released December 2014.

Outstanding Issues: The preparation of this report is dependent on funding. No specific funds were appropriated for this purpose.

For further information, please contact:
Research and Analysis, (512) 475-3523,
Charter Schools (512) 463-9575,
State Funding (512) 463-9238

Rulemaking Authority: None

Does this expressly apply to charters? Not applicable

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes

SB 2, Section 12 & 48

Adds Section 12.1014, Education Code

Summary: Section 12 authorizes the granting of up to five charters under subchapter D to be designated disability charters. 50% of the student body would need to be designated as having a disability. These charters would not affect the cap.

Section 48 requires the implementation of this provision only if the legislature appropriates money specifically for this purpose. If funds are not appropriated implementation is permissive.

Change from current law: Yes, currently all subchapter D chapters fall under the cap. There are no provisions for a charter to exist outside the cap.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules as necessary. Creation of charter application addressing special education standards.

Outstanding Issues: Federal law requires children with disabilities to be placed in the least restrictive environment. Funding for the services associated with disability charters may not be able to sustain a charter with

it mission and focus being disabled students. Charters granted under this section may not be able to maintain the criteria required of a disability charter.

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner and the State Board of Certification

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 14

Amends Section 12.104, Education Code

Summary: Section 14 requires the agency to provide technical assistance to charters in the first three years of operation.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules. Coordinated training and guideline documents for Public Education Information Management System for new charters.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 15

Amends Section 12.1053, Education Code

Summary: This section is a conforming amendment regarding the commissioner's approval of procedures related to purchasing and contracts reflected in a charter that are approved when a charter is granted.

Change from current law: Commissioner of education replaces the State Board of Education

Effective Date: September 1, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 16

Amends Section 12.1055, Education Code

Summary: This section creates a parallel structure comparing the governing body of a charter to that of a board of trustees and the chief executive officer or educational leader of a charter to that of a superintendent. Additionally this section is further amended to create parallel structure in regards to employment and nepotism. Prohibits nepotism in an open-enrollment charter beginning with all persons hired after September 1, 2013. All persons employed prior to the enactment date are considered grandfathered.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Establish baseline data of employees in charters.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Possible creation of baseline data

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 18

Amends Section 12.110, Education Code

Summary: This section contains the provision for criteria for approving applications for charters of high quality and the conferring of priority points to be awarded to charter applicants that propose to open a campus to be located in the attendance zone of a school district campus assigned an unacceptable performance rating for the two preceding school years.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules as necessary. Charter application will need to reflect the need for information related to performance ratings of a traditional campus in the proposed attendance zone.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 19

Amends Section 12.1101, Education Code

Summary: This section provides for the notice of the establishment of a new campus under the new statute 12.101(b-4)

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules. Creation of notification form for charters to submit to the Texas Education Agency.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 20

Amends Section 12.111, Education Code

Summary: This section provides conforming language as well parameters for the charter application outlining academic, operational, and financial expectations, including applicable performance frameworks, by which a charter school will be evaluated for purposes of renewal, denial of renewal, expiration, revocation, or other intervention will need to be provided in the application for charter. Additionally, information relating to any management company providing services must be provided by the applicant if applicable and the understanding that the governing body of a charter may not delegate ultimate responsibility for the school.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules.

Outstanding Issues: Existing rule 100.1033(c)(6) will need to be aligned with the new statute. Additionally the charter application will need to reflect the request for information regarding a management company.

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 23

Amends Section 12.114, Education Code

Summary: This section establishes a statutory timeline of 60 days for expansion amendments, including new school designation.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules. Expansion amendments will be processed within the 60 day timeframe.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 24

Amends Section 12.1141, Education Code

Summary: This section establishes the requirements for charter contract renewal. The application/petition shall include criteria for expedited and discretionary processes, as well as criteria for expiration of. Each renewal granted is for a period of 10 years. The process for charter renewal requires the commissioner to develop and adopt a procedure for renewal that includes three distinct processes: expedited renewal, discretionary renewal or denial of renewal, and mandatory expiration. To renew a charter at the end of the term, the charter holder must submit a petition for renewal to the commissioner in the time and manner established by commissioner rule.

Expedited Renewal: A charter is entitled to expedited renewal if the charter holder has been assigned the highest or second highest academic rating for the three preceding school years, the charter holder has been assigned a financial performance accountability rating indicating financial performance that is satisfactory or better for the three preceding school years, and no campus operating under the charter has been assigned the lowest performance rating for the three preceding school years or such campus has been closed. Under expedited renewal, the charter automatically renews within 30 days after the date the charter holder submits the petition to the commissioner, unless the commissioner provides written notice to the charter holder that the charter does not meet the requirements for expedited renewal.

Discretionary Renewal: Discretionary renewal is based on commissioner rule which must take into account results from annual evaluations set up under newly created Section 12.1181. If a charter does not meet the criteria for expedited renewal or if the charter school is set up under the Alternate Education Accountability (AEA) system, they are not eligible for expedited renewal and are to be

considered under the discretionary renewal process. In considering the renewal of the charter of an open-enrollment charter school that is registered under AEA procedures for evaluation, the commissioner shall use academic criteria that are appropriate to measure the specific goals of the school. The commissioner must approve or deny a charter renewal under discretionary renewal within 90 days of submission of the renewal application.

Mandatory Expiration (Non-Renewal): The commissioner must allow a charter to expire if the charter has been assigned the lowest academic performance rating for any three of the five preceding school years, a financial accountability performance rating indicating financial performance lower than satisfactory for any three of the five preceding school years, the charter holder has been assigned any combination of the lowest academic or financial ratings for any three of the five preceding school years, or any campus has been assigned the lowest academic rating for the three preceding school years and has not been closed. Charters registered under the AEA procedures are not exempt from mandatory expiration for financial accountability ratings.

2011-2012 performance ratings will not be considered for purposes of renewal determination. Rather, the initial three school years for which performance ratings shall be considered are the 2009-2010, 2010-2011, and 2012-2013 school years. The initial year for which financial performance ratings shall be considered is the 2010-2011 school year.

Renewal Procedures: The decision by the commissioner for charter expiration is final and may not be appealed. A decision by the commissioner to deny renewal of a charter in discretionary renewal is subject to review by the State Office of Administrative Hearing (SOAH). The administrative law judge shall uphold a decision by the commissioner to deny charter renewal unless the judge finds the decision was arbitrary and capricious or clearly erroneous. The decision of the administrative law judge from the SOAH review may not be appealed.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules. Districts will be required to comply with §12.1141

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 25

Amends Section 12.115, Education Code

Summary: This section adds to the current criterion of revocation two additional criteria: a failure to satisfy performance framework standards adopted under 12.1181 and a determination to be eminently insolvent. The amendment requires the commissioner to revoke the charter of an open-enrollment charter school if the charter holder has been assigned an unacceptable performance rating for the three preceding school years, the charter holder has been assigned an unsatisfactory financial performance rating for the three preceding school years, or the charter school has been assigned any combination of the ratings described for the three preceding school years.

The 2011-2012 academic ratings will not be considered for revocation purposes. Rather, the initial three school years for which performance ratings for revocation purposes shall be considered are the 2009-2010, 2010-2011, and 2012-2013 school years. The initial school year for which financial accountability performance ratings shall be considered is the 2010-2011 school year.

Additionally the commissioner is required to adopt an informal procedure for charter revocation and reconstitution of the governing board. The bill removes the requirement that the revocation procedure provide an opportunity for a hearing to the charter holder. A decision by the commissioner to revoke a charter is subject to review by the State Office of Administrative Hearings (SOAH), whereby the administrative law judge shall uphold a decision by the commissioner unless the judge finds the decision is arbitrary and capricious or clearly erroneous. The SOAH review is not subject to appeal. Upon revocation, the bill authorizes the commissioner to manage the school until alternative arrangements are made for students, and authorizes the commissioner to assign operations to another charter holder.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Draft, adoption, and implementation of rules.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 26

Amends Section 12.116, Education Code

Summary: The commissioner shall adopt a new informal procedure for revoking or reconstituting the governing body of a charter. Administrative Procedures Act does not apply to a revocation or reconstitution but the decision of commissioner is subject to SOAH review which shall uphold the decision unless the judge finds it arbitrary, capricious or clearly erroneous. Such SOAH decision shall be final and may not be appealed. Upon revocation, the commissioner may manage the school until arrangements are made for the students which may include transferring the campuses to a different charter holder who agrees to accept such campuses.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year:
Commissioner will adopt rules implementing the new informal procedure for revocation or reconstitution.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 27 & 47

Amends Section 12.1161, Education Code

Effective Date: September 1, 2013

For further information, please contact:
Charter School Administration,
(512)463-9575

Summary: Section 12.1161(a) is amended and repeals Section (b). If the commissioner revokes a charter, denies a renewal, or the charter surrenders its charter, it may not continue to operate or receive state funds.

Change from current law: No

Action required for 2013-14 School Year: None

Outstanding Issues: None

Rulemaking Authority: No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 29

Amends Section 12.1164, Education Code

Effective Date: September 1, 2013

For further information, please contact:
Charter School Administration,
(512)463-9575

Summary: Section 29 requires the Commissioner to inform TRS of any expiration of a charter, should one occur.

Change from current law: Current statute does not require this notification

Action required for 2013-14 School Year: None

Outstanding Issues: None

Rulemaking Authority: No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 30

Adds Section 12.1181, Education Code

Summary: This section requires the commissioner to adopt rules for performance frameworks that establish standards for measuring performance of open enrollment charters and separate specific performance frameworks to measure performance of alternative education accountability charters under Chapter 39. Such frameworks shall be based on national best practices and may include a variety of standards and the commissioner shall seek advice from stake holders. The commissioner shall evaluate a charter's performance annually on these frameworks

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Adopt rules implementing and establishing frameworks.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 647

Adds Section 12.120, Education Code

Summary: The bill requires charters to use the same guidelines as independent school districts in employing certain individuals as classroom teachers.

Change from current law: Previous law was less restrictive for requirements of classroom teachers employed in charter schools.

Effective Date: June 14, 2013

Action required for 2013-14 School Year:

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2 Section 32

Amends Section 12.120, Education Code

Summary: Opens the applicant pool and allows a charter to employ a person as a teacher or aide if ISD's could employ such a person or if the ISD could employ the person if they had their certificate but the person never held the certification or the charter may employ the person in any other capacity if an ISD could employ the person in that capacity.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 647

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Change from current law: Previous law was less restrictive for requirements of classroom teachers employed in charter schools.

Effective Date: June 14, 2013

Action required for 2013-14 School Year:

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 33 & 34

Adds Sections 12.1202 and 12.1211, Education Code

Effective Date: September 1, 2013

For further information, please contact: Charter School Administration,
(512)463-9575

Summary: Section 33 requires a majority of members of the governing body of a charter holder or charter school to be qualified voters. Section 34 requires charters to list the names of the members of the governing board on the home page of the school's internet website

Change from current law: Yes

Action required for 2013-14 School Year: Governance form will need to reflect this requirement.

Outstanding Issues: None

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Section 34 has posting requirement

SB 2, Section 36

Adds Section 12.1231, Education Code

Effective Date: September 1, 2013

For further information, please contact: Charter School Administration,
(512)463-9575

Summary: This section requires that by October 1, 2013, all agency employees who are involved with charters must be trained on charter authorization, oversight, and monitoring to be provided by a nationally recognized organization.

Change from current law: Yes

Action required for 2013-14 School Year: Training will need to be conducted.

Outstanding Issues: None

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 37, 39, 46

Section 37 amends Subsection 12.128(a)(2), Education Code

Section 39 adds Section 12.136, Education Code

Section 46 amends Section 140.006, Local Government Code

Summary: It clarifies that property purchased by an open-enrollment charter school with state funds is considered property of the state, held in trust by the open-enrollment charter school.

It requires charters to post financial reports and the salary of the superintendent or chief executive officer on their websites.

Change from current law: Section 12.128 of the Education Code is amended to specify that property purchased or leased with funds received by a charter holder under section 12.106 is considered property of the state, held in trust by the charter holder, for the benefit of the students of the open-enrollment charter school.

Section 12.136 of the Education Code is amended to require the posting of the salary of the school's superintendent or administrator serving as educational leader and chief executive officer.

Section 140.006(c) is amended to require open-enrollment charter schools to ensure that the financial statement is posted on the school's internet website.

Effective Date: This Act takes effect September 1, 2013.

Action required for 2013-14 School Year: Agency employees responsible for granting charters or providing oversight or monitoring of charter holders or open-enrollment charter schools must participate in training on charter school authorization, oversight, and monitoring provided by a nationally recognized organization of charter school authorizers identified by the commissioner.

Outstanding Issues: None

For further information, please contact:
Amanda Brownson
Phone: (512) 463-0986
Email: Amanda.brownson@tea.state.tx.us

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes, charters will be required to post the salary of the superintendent or chief executive officer on their websites. Charters will also be required to post their financial statements on their websites.

HB 2016

Adds Section 13.1521, Education Code

Summary: If a resolution in favor of a consolidation has been adopted by the boards of trustees of each school district proposed to be consolidated into a single school district, none of the boards may receive or consider a detachment and annexation petition without the consent of the other boards either before consolidation or before the proposed consolidation is disapproved at an election.

Change from current law: The submission of a detachment and annexation petition while a consolidation is pending is not addressed in current law.

Effective Date: June 13, 2014

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 460

Amends Sections 21.044 and 28.004, Education Code; Amends Sections 161.325-161.326, Health and Safety Code

Summary: The instruction and training related to the detection and education of students with mental or emotional disorders would be developed by a panel of experts appointed by SBEC. The bill's mental health training requirement would be similar to the dyslexia training requirement added to TEC §21.044 following 82nd Legislature Regular Session, except that it would not expressly exclude alternative certification programs.

Change from current law: The bill adds sections (c-1) and C-2) requiring a panel of experts to develop instruction in detection of students with mental or emotional disorders that teacher candidates with a bachelor's degree must receive.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: SBEC must appoint a board of experts in the diagnosis and treatment of mental or emotional disorders to create instruction in detection of students with mental or emotional disorders. SBEC must propose revisions to TAC §228.35 to include training on students with mental or emotional disorders similar to current section (a)(4).

Outstanding Issues: None

For further information, please contact:
Michael Vriesenga, Educator Certification
(512)463-8911

Rulemaking Authority: SBEC

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 3573

Amends Subsection 21.044 (e), Education Code

Summary: The bill adds allowable licenses and degree requirements for teaching a health science technology education course. The bill also changes the health science technology education certification requirements.

Change from current law: The bill would allow for a person who holds an associate degree to teach a health science technology course and also obtain a certification. Currently, a teaching certification for health science technology education requires a bachelor's degree and two years wage earning experience. The bill also places limits on the rules that govern the requirements for certification and placement of an individual in a health science technology education classroom. The bill allows persons holding a technology applications certification to teach additional principles courses.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: SBEC must propose rules implementing TEC §21.044.

Outstanding Issues: None

For further information, please contact:
Michael Vriesenga, 463-8911

Rulemaking Authority: SBEC

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 2012

Adds Sections 7.038, 7.064, 21.0441, 21.4513 and amends Sections 21.044, 21.048, 21.352, 21.458, Education Code

Summary: This bill is a comprehensive teacher quality bill that requires the agency conduct a salary survey of all employees subject to minimum state salary requirements and conduct statewide teaching and learning conditions survey of all superintendents, principals, teachers, counselors, and other appropriate full-time employee. The bill also raises statutory admission requirements for teacher candidates into educator preparation programs . It requires districts to conduct classroom observations of teachers more frequently and to provide scheduled release time for mentor teachers. The agency shall periodically audit all training requirements placed on teachers based on federal, state, and district funding. The bill creates an advisory committee appointed by the Governor, Lt. Gov, and Speaker to evaluation the implementation of mentoring programs and requires a joint review of educator preparation standards with THECB, SBEC, and TEA.

Change from current law: Creates four new reports for the Agency to complete

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Completion of working conditions survey

Outstanding Issues:

For further information, please contact:

Mark Baxter

mark.baxter@tea.state.tx.us

(512) 936-9831

Rulemaking Authority: Commissioner and SBEC

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes

Does this bill require the agency or ISD to post information to their website? No

HB 2318

Adds Sections 21.0453 and 21.061, and amends Section 21.048(a), Education Code

Summary: This bill requires educator preparation programs (EPP) (traditional, post baccalaureate, and alternative) to provide detailed information on teaching profession to candidates including:

- Skills and responsibilities required of teachers
- Expectations for student performance based on state standards
- Current supply of and demand for teachers in this state

- Importance of developing classroom management skills
- State's framework for appraisal of teachers and principals

The bill also requires the State Board for Certification to develop and carry out a process for evaluating and updating standards and requirements for educator preparation programs.

Change from current law: Yes

Effective Date: June 14, 2013

Action required for 2013-14 School Year:

Outstanding Issues:

For further information, please contact:
Sandra Nix, Educator Certification
(512)936-8400

Rulemaking Authority: State Board for Educator Certification

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 642

Adds Subsection 21.054(d), (e), and (f), Education Code

Summary: Requires teachers and principals seeking to renew their certification(s) to take up to 25 percent of their professional development specifically relating to data driven indicators that are reported in their educator appraisal:

Teacher indicators being defined as:

1. collecting and analyzing information that will improve effectiveness in the classroom;
2. recognizing early warning indicators that a student may be at risk of dropping out of school;
3. integrating technology into classroom instruction;
4. educating diverse student populations, including:
 - a. students with disabilities, including mental health disorders;
 - b. students who are educationally disadvantaged;
 - c. students of limited English proficiency; and
 - d. students at risk of dropping out of school; and
5. increasing knowledge of the subject area taught by the educator

Principal indicators being defined as:

1. effective and efficient management, including:
 - a. collecting and analyzing information;
 - b. making decisions and managing time; and
 - c. supervising student discipline and managing behavior;
2. recognizing early warning indicators that a student may be at risk of dropping out of school;
3. integrating technology into campus curriculum and instruction;
4. educating diverse student populations, including:
 - a. students with disabilities, including mental health disorders;
 - b. students who are educationally disadvantaged;
 - c. students of limited English proficiency; and
 - d. students at risk of dropping out of school; and
5. providing instructional leadership, including:
 - a. providing teacher support;
 - b. maintaining community involvement;
 - c. building professional learning communities; and
 - d. recruiting, coaching, remediating, and retaining campus educators.

Counselor indicators being defined as:

1. assisting students in developing high school graduation plans;
2. implementing dropout prevention strategies; and
3. informing students concerning:
 - a. college admissions, including college financial aid resources and application procedures; and
 - b. career opportunities.

Change from current law: The bill adds specific criteria for teachers, principals and counselors that current law lacks.

Effective Date: June 14, 2013 with new requirements starting 2014-2015 school year.

Action required for 2013-14 School Year: SBEC must propose rules implementing TEC §21.054 not later than January 1, 2014.

Outstanding Issues: None

For further information, please contact: Danielle Warren, Educator Certification (512)936-2166

Rulemaking Authority: SBEC

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1751

Amends Sections 21.701-21.7061, Education Code

Effective Date: June 14, 2013, with provisions starting with the 2014-15 school year.

For further information, please contact: Mark Baxter, Educator Certification
(mark.baxter@tea.state.tx.us)
(512)936-9831

HB 1752

Adds Subchapter Q, Sections 21.801-21.806, Education Code

Effective Date: September 1, 2013

Summary: This bill overhauls the current District Awards for Teacher Excellence (DATE) program from a pay-for-performance program to a district human capital redesign program. The bill creates a competitive grant program that requires districts to submit plans for implementing: 1) high-quality mentoring programs, 2) holistic teacher evaluation systems that include student growth, 3) restructure the school day to provide for embedded/collaborative learning time, 4) alternative compensation systems, and 5) incentives designed to reduce teacher turnover.

Change from current law: Renames DATE to the Educator Excellence Innovation Plan and updates statute to reflect a more holistic approach to supporting teachers through mentoring, evaluation, professional development, compensation, and retention efforts.

Action required for 2013-14 School Year: Update RFP for districts.

Outstanding Issues: Rider money associated with this bill is earmarked for districts receiving federal funds therefore limiting the pool of applicants. There was legislative intent to remove that provision but it never occurred.

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

Summary: Directs the Texas Higher Education Coordinating Board to establish a Texas Teacher Residency Program at a public institution of higher education. The residency program would be modeled after medical schools and provide stipends to post-graduates who want to enter the teaching profession.

Change from current law: The bill creates a new teacher preparation program in Texas

Action required for 2013-14 School Year: No

Outstanding Issues: Most of the authority for creating the program is with the THECB, however there will be a need to collaborate with SBEC as they have to approve any new programs.

For further information, please contact: Mark Baxter, Educator Certification
(mark.baxter@tea.state.tx.us)
(512)936-9831

Rulemaking Authority: Commissioner of Higher Education

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 2619

Amends Sections 25.001, 25.007, and 25.087, Education Code; Amends Sections 107.002, 107.004, 263.0025, 263.004, 263.306, 263.503, 264.1072, and 266.008, Family Code

Summary: A guardian and attorney ad litem appointed to represent a child in foster care must determine if the child's educational needs and goals have been identified and addressed before each scheduled hearing under chapter 263 of the Family Code. A court may appoint a surrogate parent if a child in foster care participates in a school district's special education program. At each permanency and placement review hearing the court must identify an education decision maker for the child if one has not been previously identified and determine whether the child's education needs and goals have been identified and addressed. The Department of Family and Protective Services (DFPS) must make a foster child's education passport available to any person authorized by law to make educational decisions for the child. A student enrolled in a primary or secondary public school who is placed in DFPS conservatorship and at a residence outside the attendance area for the school or school district is entitled to continue to attend the school in which the student was enrolled immediately before entering foster care until the student successfully completes the highest grade level offered by the school. TEA must require school districts to provide notice to a foster child's educational decision-maker and caseworker regarding certain events that may significantly impact the child's education. School districts must excuse certain absences applicable to a child in foster care

Change from current law: The additional duties of a guardian and attorney ad litem, court, DFPS, and TEA were not previously in statute. The statute permitting a student enrolled in a primary or secondary public school who is placed in DFPS conservatorship and at a residence outside the attendance area for the school or school

district to continue to attend the school in which the student was enrolled immediately before entering foster care was originally limited only to students enrolled in grades 9 – 12. The additional excused absences for students in foster care were not previously in statute.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Changes related to the Education Code commence in the 2013-2014 school year: A student enrolled in a primary or secondary public school who is placed in DFPS conservatorship and at a residence outside the attendance area for the school or school district is entitled to continue to attend the school in which the student was enrolled immediately before entering foster care until the student successfully completes the highest grade level offered by the school; TEA must require school districts to provide notice to a foster child’s educational decision-maker and caseworker regarding certain events that may significantly impact the child’s education; and school districts must excuse certain absences applicable to a child in foster care.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720
or
Federal and State Education Policy,
(512)463-9414

Rulemaking Authority: None

Does this expressly apply to charters? Sections 25.001(g), 25.007(b)(1), and 25.087(b) of the Education Code apply to charter schools. Section 25.007(b)(9) of the Education Code does not clearly apply to charter schools. The remaining provisions of this bill do not apply to charter schools.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 453

Adds Section 25.0031, Education Code

Summary: School districts and open-enrollment charter schools will be able to charge tuition amounts equal to the full unsubsidized cost per capita to provide an education in the case of those students whose visas require them to pay tuition as a condition for obtaining or holding an appropriate United States student visa.

Change from current law: School districts and open-enrollment charter schools will be able to accept tuition to cover the cost of educating students who are required to pay tuition as a condition for obtaining or holding

appropriate United States student visas. The cost of tuition is limited to the full unsubsidized per capita cost of providing the student's education as determined by the commissioner's guidelines unless the commissioner approves a greater amount as a more accurate reflection of the cost of education provided by the school district or open-enrollment charter school.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The commissioner is required to develop guidelines for determining the amount of the full unsubsidized per capita cost of providing a student's education or approve a greater amount as a more accurate reflection of the cost of education provided by a school district or open-enrollment charter school.

Outstanding Issues: None

For further information, please contact:
Belinda Dyer
Email: belinda.dyer@tea.state.tx.us
(512) 475-3451

Rulemaking Authority: None

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? The bill requires the commissioner to develop guidelines to determine tuition amounts.

Does this bill require the agency or ISD to post information to their website? No

HB 525

Adds Subsections 25.006 (c) and (d),
Education Code

Summary: The bill provides for a requirement that the Texas Education Agency collect data through the PEIMS system on "military-connected students" at the beginning of the school year and at the end of the school year who are dependents of certain military families and may not be used for purposes of determining a campus or district performance rating under Section 39.054. A "military connected students is a student enrolled in a school district or open-enrollment charter school who is a dependent of a member of: (1) the United States military serving in the Army, Navy, Air Force, Marine Corps, or Coast Guard on active duty; (2) the Texas National Guard; or (3) a reserve force of the United States military.

Change from current law: This is a new law and had no previous basis.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: TEA must add this new data to the Legacy and TSDS PEIMS data collection systems.

Outstanding Issues: None

For further information, please contact:

Mike Peebles,
Finance and Administration,
(512)463-5917

or
Bryce Templeton, PEIMS
(512)463-9229

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. School districts and charter schools must report to TEA the students who have a military connected status.

Does this bill require the agency or ISD to post information to their website? No

SB 1404

Amends Subsections 25.007(b), 25.087(b), 28.0213(a), and 28.025(i), Education Code

Summary: This bill makes various amendments specifically related to the educational success of students in conservatorship of the state.

Change from current law: Section 25.007(b) relates to students in substitute care transitioning from one school to another and is amended to include the awarding of partial credit when appropriate, the ability to complete a course that's necessary for graduation at no additional cost before the beginning of the next school year, and that a student is provided information in grades 11 and 12 about the tuition/fee waiver and opportunity for dual credit that exists in statute.

Section 25.087(b) permits excused absences for activities required by a court order under the Family Code, Chapter 262 or 263.

Section 28.0213(a) requires districts to offer an intensive program of instruction to students they determine are not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade nine.

Section 28.025(i) provides an opportunity for students in conservatorship in 11th or 12th grades, in the event they are transferred to a new school district and no-longer meet the new districts graduation requirements, to receive their diploma from the former school, at the student's request.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Coordinate Agency divisions to meet new guidelines and develop guidance for districts.

Outstanding Issues: None

For further information, please contact: Federal and State Education Policy,
(512)463-9414

Rulemaking Authority?: None

Does this expressly apply to charters? No, but TEC §28.025 does apply to Charter Schools.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 2137

Adds Section 25.008, Education Code

Summary: Requires a school district to allow a person who is not enrolled in the district but who is eligible to attend the district under Section 25.001 to enroll in summer school courses on the same basis as persons enrolled in the district. The requirement does not apply to a program under Section 29.088, 29.090, or 29.098 or a similar intensive program.

Change from current law: Eligibility for enrollment in summer school courses is currently determined by district policy.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Adjust summer school policy as necessary to comply with new Section 25.008.

Outstanding Issues: None

For further information, please contact: Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 773

Amends Section 25.082, Education Code

Summary: Expands the provisions relating to daily recitation of the pledges of allegiance to the United States and Texas flags followed by a moment of silence to apply to open-enrollment charter schools in addition to school districts.

Requires the display of both flags in each classroom to which students are assigned at the time scheduled for recitation of the pledges to the flags. Authorizes districts and open-enrollment charter schools to raise money or accept gifts, grants, and donations for the purpose of acquiring the flags.

Change from current law: Currently, the amended section does not apply to open-enrollment charter schools and does not include the requirement regarding the display of the flags.

Effective Date: Applies beginning with the 2013-2014 school year except that new (b-1) regarding display of the flags applies beginning with the 2016-2017 school year.

Action required for 2013-14 School Year: Open-enrollment charter schools must schedule time each school day for recitation of the pledges to the flag followed by a moment of silence.

Outstanding Issues: Requirement to display flags as provided by new Subsection (b-1) applies beginning with the 2016-2017 school year.

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1501

Adds Section 25.0821, Education Code

Summary: Requires public schools to observe a minute of silence at the beginning of the school day on September 11 if the date falls on a school day. Proceeding the minute of silence, a class instructor shall make a statement of reference to the memory of individuals who died on September 11, 2001. The minute of silence may be held in conjunction with the minute of silence required under Section 25.082.

Change from current law: The subject is not addressed in current law.

Effective Date: The new section applies beginning with the 2013-2014 school year.

Action required for 2013-14 School Year: Observation of a minute of silence under new Section 25.0821 on September 11, 2013.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No, but it implicitly applies because it is written to apply to “each public elementary or secondary school”.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Sections 5, 6 & 7

Amends Sections 25.083 and 25.092,
Education Code

Summary: The board of trustees of each school district must adopt and strictly enforce a policy limiting the removal of students from class for remedial tutoring or test preparation. A district may not remove a student from a regularly scheduled class for remedial tutoring or test preparation if, as a result of the removal, the student would miss more than 10 percent of the school days on which the class is offered, unless the student’s parent or another person standing in parental relation to the student provides to the district written consent for removal from class for such purpose.

A student in any grade level from kindergarten through grade 12 may not be given credit or a final grade for a class unless the student is in attendance for at least 90 percent of the days the class is offered.

Change from current law: Current statute requires each local district board of trustees to adopt and strictly enforce a policy limiting interruptions of classes during the school day for nonacademic activities such as announcements and sales promotions, but does not address remedial tutoring or test preparation.

Under current law, the minimum attendance requirement for class credit clearly applies to high school, but is not explicitly applicable to students in elementary and middle grades.

Effective Date: June 10, 2013; applies beginning with the 2013-2014 school year.

Action required for 2013-14 School Year: The board of trustees of each school district must adopt a policy limiting the removal of students from class for remedial tutoring or test preparation.

Outstanding Issues: None

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 260

Amends Section 25.087, Education Code

Summary: Establishes a mandatory excused absence for up to five days in a school year a student whose parent, stepparent, or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or immediately returned from continuous deployment of at least four months to visit with the parent, stepparent, or guardian. The absence must be taken not earlier than the 60th day before the date of deployment or not later than the 30th day after the date of return from deployment.

Change from current law: Under current law, excusing absences for this purpose is optional at the local level under Art. V., Sec. E, of the Interstate Compact on Educational Opportunity for Military Children (Chapter 162, Education Code).

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Adjust attendance policies to comply with the amendment to Section 25.087.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No, but applies indirectly. It applies to compulsory attendance which is enforced by charters as well as districts.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 553

Amends Sections 25.087 and 33.092, Education Code and adds Section 83.012, Election Code

Summary: The bill authorizes a school district to adopt a policy to excuse a student from attendance for the purpose of serving as a student early voting clerk for a maximum of two days in a school year. The student may apply the time served toward a requirement for a school project at the discretion of the teacher, toward a service requirement for an advance academic course program at the discretion of the program sponsor, or toward a service requirement for participation in a school-sponsored extracurricular activity at the discretion of the school sponsor.

Pursuant to the section added to the Election Code, a student is eligible to service as a student early voting clerk if the student meets the eligibility requirements to be a student election clerk. A student early voting clerk is entitled to compensation in the same manner as other early voting clerks and may communicate with a voter who cannot communicate in English in a language the both the voter and the clerk understand. Not more than four student early voting clerks may serve an early voting polling place. The secretary of state is authorized to initiate or assist in development of a statewide program promoting the use of student early voting clerks.

Change from current law: Currently, students with certain qualifications may serve as student election clerks on an election day, but are not authorized to serve as early voting clerks.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None required, but a district has the option to adopt a policy to excuse a student from attendance to serve as a student early voting clerk.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No, but applies indirectly. It applies to compulsory attendance which is enforced by charters as well as districts.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 455

Amends Section 25.087(b), Education Code

Effective Date: The law as amended applies beginning with the 2013-2014 school year.

For further information, please contact: Office of Legal Services
(512)463-9720

Summary: This bill expands the excused absence provision for health care appointments to apply to an appointment for the child of the student who is absent.

Change from current law: The amended provision currently applies only to a health care appointment for the student who is absent.

Action required for 2013-14 School Year: A school district or open-enrollment charter must excuse absences falling under the statute as amended.

Outstanding Issues: None

Rulemaking Authority: None

Does this expressly apply to charters? No However, it is applicable as it is part of the structure of the compulsory attendance law that applies to all students and that is enforced by charters as well as districts.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 1114

Amends Sections 25.0915, 37.001, 37.081, 37.124, and 37.126, Education Code; Sections 52.031, Family Code; Articles 45.058, Code of Criminal Procedure; and Section 42.01, Penal Code. Also adds Section 37.085, Education

Summary: Code of Criminal Procedure: This bill prohibits a law enforcement officer from issuing a citation or filing a complaint for conduct by a child younger than 12 years of age that occurs on school property or on a school vehicle. It also requires a law enforcement officer who issues a citation or files a complaint for conduct by a child 12 years or older that occurs on school property or on a school vehicle to submit to the court the offense report, a statement by a witness to the conduct, and a statement by the victim, if any. The state may not proceed in a trial of an offense unless the law enforcement officer complied with these requirements.

Education Code: Requires a court to dismiss a complaint or referral for the failure to attend school if the complaint or referral fails to specify whether the student is eligible for or receives special education services and is not accompanied by a statement by the school certifying that the school applied truancy prevention measures and the measures failed to meaningfully address the student's school attendance. Requires that a student code of

conduct specify the circumstances under which a student may be removed from a vehicle owned or operated by the district and provide options for managing students on a vehicle owned or operated by the district. Provides that a school district chief of police must report to the superintendent, removing the option to report to the superintendent's designee. Prohibits the issuance of a warrant for the arrest of a person for a Class C misdemeanor under the Education Code committed when the person was younger than 17 years of age. Limits the application of the offenses of disruption of classes and disruption of transportation to persons who are not students enrolled in a primary or secondary school.

Family Code: Provides that a child accuse of a Class C misdemeanor, other than a traffic offense, may be referred to a first offender program prior to the filing of a complaint with a criminal court or referring the child to juvenile court if the child qualifies for the program.

Penal Code: Amends the offense of Disorderly Conduct to specify that "public place" for purposes of the offense includes a public school campus or the school grounds on which a public school is located.

Change from current law: Establishes a minimum age of 12 for offenses occurring on school property or on a school vehicle, which is consistent with the current minimum age of 12 for the offense of Failure to Attend School. Establishes certain procedural requirements for filing certain offenses against students age 12 or older or for referring the student to juvenile court. Prohibits the issuance of a warrant for the arrest of a person for a Class C misdemeanor under the Education Code committed when the person was younger than 17 years of age. Limits the application of the offenses of disruption of classes and disruption of transportation to persons who are not students enrolled in a primary or secondary school. Extends the first offender program to children who are subject to complaint in criminal court in addition to those referred to juvenile court. Clarifies that the offense of Disorderly Conduct in the Penal Code applies to conduct occurring on a public school campus or school grounds.

Requires a student code of conduct to address behavior on school vehicles. Removes the option for the school district chief of police to report to a superintendent's designee instead of the superintendent.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Revision of student code of conduct to comply with new requirements. Implementation of the requirement that the school district chief of police report to the superintendent. Implementation by school policy of the procedural requirements relating to filing criminal complaints against students or referring students to juvenile court.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? In general, it applies to conduct committed by charter school students. However, the amendments related to student codes of conduct and to school district police do not apply because charters. Although charters must have codes of conduct under Section 12.131, charter are not subject to Section 37.001 establishing requirements for school district codes of conduct. Also, charters are not authorized to commission police officers.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1479

Adds Section 25.0916, Education Code

Summary: The new section requires development of a uniform truancy policy in a county with a population greater than 1.5 million that contains the majority of the territories of at least 15 school districts. One of the school districts must have at least 50,000 students with an annual dropout rate for grade levels 9-12 of at least 5 percent computed using National Center for Education Statistics standards and definitions.

The county judge and the mayor of the municipality with the greatest population are required to appoint a committee composed of members from specified categories to recommend a uniform truancy policy addressing specific matters. Compliance with the committee recommendations is voluntary. Deadlines are provided for appointment of the committee and development of the policy. The section expires January 1 2016.

Change from current law: There is no current provision regarding a uniform truancy policy in a county.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The county judge and the mayor are to appoint the committee by September 1, 2013.

Outstanding Issues: The committee must make recommendations by September 1, 2014. The presiding officer must issue a report on implementation of the recommendations by December 1, 2015.

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? Yes. The committee must include a representative of an open-enrollment charter school and the policy that is recommended must apply to open-enrollment charter schools as well as school districts.

Does this bill contain a new reporting requirement for TEA/school districts? No, but the recommended policy must address tracking truancy information which may require new reporting for open-enrollment charters and school districts at the county level.

Does this bill require the agency or ISD to post information to their website? No

HB 2694/SB 1365

Amends Sections 25.092 and 28.023,
Education Code

Summary: School districts approve, to the extent available, at least four examinations for acceleration or for credit for each academic subject. Each exam must satisfy State Board of Education (SBOE) guidelines, and the approved exams must include College Board AP exams and College-Level Examination Program (CLEP) exams. Districts are required to award credit for a subject if a student scores a 3 or higher on an AP test, a scaled score of 60 or higher on a CLEP test, or an 80% or higher on another test. Districts must administer the tests not fewer than four times a year with an exception for tests given on a schedule not determined by the district.

The score an elementary or secondary student must make on an exam for acceleration or for credit is now 80. Students who earn credit on the basis of an examination are exempt from taking an end-of-course exam for that subject. A student is only permitted two attempts at earning credit through examination in a given subject and may not make any attempt after the time he would ordinarily be enrolled in the course.

The 90% attendance rule for credit does not apply to a student who earns credit on the basis of an examination.

Change from current law: Currently the specified score for credit by exam or for acceleration by exam is 90, rather than 80. A district must offer credit-by-exam opportunities at least once a year at times determined by the SBOE rather than four times a year. Districts are not currently required to identify multiple tests in a given subject, and districts are not required to include AP or CLEP tests in their credit-by-exam programs.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: School districts are required to use the score of 80, approve additional exams for credit and for acceleration, and administer exams at least four times per year beginning with the 2013-2014 school year.

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: State Board of Education

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 753

Adds Section 26.0082, Education Code

Summary: This bill adds the definition of “rigorous research to the code and requires a school district to include information provided to the school district by TEA to parents that identifies characteristics of supplemental education services that will help foster improvement in student academic performance, which includes a minimum number hours of tutoring necessary for improvement.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: The agency will be required to: identify characteristics of SES that demonstrate likelihood to foster improvement in student academic performance, including minimum number of tutoring hours necessary for improved performance; and sort, for each subject for which SES is provided, SES providers serving district students according to provider level of effectiveness in improving student performance in applicable subject areas.

The agency shall establish a process for approving and revoking approval for SES providers. The agency shall maintain publicly a list of approved providers and promptly investigate a complaint. Not later than the 5th business day after the Agency removes a provider, the Agency shall send notice of removal to appropriate school districts.

Outstanding Issues: None

For further information, please contact:
Accreditation and School Improvement:
(512)463-5899

Rulemaking Authority: Commissioner.

Does this expressly apply to charters? Charter schools identified as Stage 2 or above are required to implement SES.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 462

Amends Section 28.002, Education Code

Summary: The State Board of Education may not adopt the common core state standards as the essential knowledge and skills for any subject of the required curriculum. Additionally, a school district is prohibited from using the common core state standards to comply with the requirement to provide instruction in the knowledge and skills of any subject in the required curriculum. A school district or open-enrollment charter school may not be required to offer any aspect of the common core state standards. Finally, TEA is prohibited from adopting or developing criterion-reference assessment instruments based on the common core state standards.

Change from current law: Current law contains no specific prohibitions regarding the use of the common core state standards at the state or local level.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 2662

Amends Section 28.002(a); reenacts and amends Section 28.0021(a) as amended by Chapters 214 (HB 34) and 885 (SB 290), Acts of the 82nd Legislature, Regular Session, 2011; amends Section 28.0021(b) and (c), Education Code

Summary: Personal financial literacy is added to the required enrichment curriculum and districts will be required to offer a ½-credit elective course in personal financial literacy beginning with the 2013-2014 school year using materials approved by the state Board of Education (SBOE). The bill removes the requirement that college courses offered for dual credit to meet the economics course requirement include instruction in personal financial literacy.

Change from current law: Currently instruction in personal financial literacy is required as part of high school economics courses.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The SBOE will need to adopt Texas Essential Knowledge and Skills (TEKS) for the ½-credit personal financial literacy elective course.

Outstanding Issues: Districts will need to offer the ½-credit personal financial literacy elective course as soon as TEKS for the course have been adopted by the SBOE

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: State Board of Education

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 1474

Amends Section 28.002(g), Education Code

Summary: Before the adoption of a major curriculum initiative, including the use of curriculum management systems, a district must use a process that:

- Includes teacher input
- Provides district employees with the opportunity to express opinions regarding the initiative
- Includes a meeting of the board of trustees of the district at which
 - Information regarding the initiative is presented, including the cost of the initiative and any alternatives that were considered and

- Members of the public and district employees are given the opportunity to comment regarding the initiative

Change from current law: There are no specific provisions for adoption of curriculum initiatives by local school districts in current law.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: If a district plans to adopt a major curriculum initiative, including the use of a curriculum management system, the district must follow the new required process.

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 8

Adds Subsections 28.002(g-1), (g-2) and (o), Amends Section 28.002(c), Education Code

Summary: Each district is required to make available to each high school student in the district an Algebra II course.

A district may offer a course or other activity, including an apprenticeship or training hours needed to obtain an industry-recognized credential or certificate, that is approved by the board of trustees for credit without obtaining State Board of Education (SBOE) approval if:

- (1) the district develops a program under which the district partners with a public or private institution of higher education and local business, labor, and community leaders to develop and provide the courses; and
- (2) the course or other activity allows students to enter:
 - (A) a career or technology training program in the district 's region of the state;
 - (B) an institution of higher education without remediation;
 - (C) an apprenticeship training program; or
 - (D) an internship required as part of accreditation toward an industry-recognized credential or certificate for course credit.

Each school district must annually report to the agency the names of the courses, programs, institutions of higher education, and internships in which the district's students have enrolled. The agency must make this information available to other districts.

In approving CTE courses, the SBOE must determine that at least 50 percent of the approved courses are cost-effective for a school district to implement.

Change from current law: Current statute does not explicitly require a school district to offer Algebra II.

Current statute allows a school district to offer a mathematics or science course without SBOE approval to be taken after Algebra II and physics that is endorsed by an institution of higher education as a course for which the institution would award course credit or as a prerequisite for a course for which the institution would award course credit.

Effective Date: June 10, 2013; applies beginning with the 2014-2015 school year.

Action required for 2013-14 School Year: None

Outstanding Issues: Each district is required to make available to each high school student in the district an Algebra II course beginning with the 2014-2015 school year.

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Each school district that chooses to offer courses without SBOE approval must annually report to the agency the names of the courses, programs, institutions of higher education, and internships in which the district's students have enrolled.

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 9

Adds Section 28.00222, Education Code

Summary: Not later than September 1, 2014, the SBOE must ensure that at least six advanced CTE or technology applications courses, including course in personal financial literacy and in statistics, are approved to satisfy a fourth credit in mathematics.

Change from current law: Current law does not mandate a specific number of courses that must be approved to satisfy a specific graduation requirement.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: The SBOE is required to ensure courses are adopted before September 1, 2014

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 2201

Adds Section 28.00222; Amends Sections 28.025(b-2) and 28.027(b), Education Code

Summary: Not later than September 1, 2014, the SBOE must ensure that at least six advanced career and technology education (CTE) or technology applications courses, including a course in personal financial literacy, are approved to satisfy a fourth credit in mathematics required for high school graduation.

Change from current law: Current law does not mandate a specific number of courses that must be approved to satisfy a specific graduation requirement.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: The SBOE is required to ensure courses are adopted before September 1, 2014

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: State Board of Education

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 897

Amends Sections 28.0023, Education Code

Summary: The State Board of Education (SBOE) must include instruction in cardiopulmonary resuscitation (CPR) for students in grades 7 through 12 and requires a school district or open-enrollment charter school to provide instruction in CPR. The instruction may be provided as a part of any course and a student is required to receive the instruction at least once before graduation. An administrator may waive the requirement for CPR instruction for an eligible student with a disability.

The instruction must include training that has been developed by the American Heart Association or the American Red Cross, or developed using nationally recognized, evidence-based guidelines for emergency cardiovascular care and incorporating hands-on practice to support cognitive learning.

A School district or open-enrollment charter school is permitted to use emergency medical technicians, paramedics, police officers, firefighters, representatives of the American Heart Association or the American Red Cross, teachers, other school employees, or other similarly qualified individuals to provide instruction and training. The required CPR instruction does not have to result in certification. If the instruction is intended to result in certification, the course instructor must be authorized to provide the instruction by the American Heart Association or the American Red Cross, or a similar nationally recognized association.

Change from current law: Current law requires the SBOE to include elements relating to instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator (AED) as part of the Texas Essential Knowledge and Skills (TEKS) for health.

Effective Date: June 14, 2013; applies beginning with the 2014-2015 school year.

Action required for 2013-14 School Year: The SBOE would need to include a requirement for students in grades 7-12 to receive instruction in CPR at least once before graduation.

Outstanding Issues: Beginning in 2014-2015, school districts and open-enrollment charter schools are required to provide instruction to students in grades 7-12 in CPR. Students are required to receive the instruction at least once before graduation.

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: State Board of Education

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1018

Amends Section 28.004, Education Code

Summary: The local school health advisory council (SHAC) of each school district is required to establish a physical activity and fitness planning subcommittee. This subcommittee is charged with considering issues relating to student physical activity and fitness and making policy recommendations to increase physical activity and improve fitness among students. The local SHAC is also required to include in its annual written report to the local board of trustees any recommendations made by the physical activity and fitness planning subcommittee.

If feasible, the local SHAC must recommend joint use agreements or strategies for collaboration between the school district and community organizations or agencies. Any joint use agreement into which a school district and community organization or agency enter on the basis of a recommendation of the local SHAC must address liability for the school district and community organization or agency.

Change from current law: Current law does not require a physical activity and fitness planning subcommittee as part of a local SHAC, nor does it address the recommendation of joint use agreements or strategies for collaboration between school districts and community organizations or agencies.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: School districts will need to ensure that the local school health advisory committee establishes a physical activity and fitness planning subcommittee and, if feasible, recommends joint use agreements or strategies for collaboration with community organizations or agencies.

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 172

Amends Section 28.006(b), Education Code

Summary: This bill requires the commissioner to approve at least two multidimensional assessment tools for kindergarten. A multidimensional tool would include reading and at least three developmental skills, or a separate developmental assessment used in conjunction with a reading assessment.

Change from current law: This adds at least two multidimensional assessment tools.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The Commissioner is to include at least two multidimensional assessment tools on the Commissioners List of Reading Instruments.

Outstanding Issues: The 2013-2014 Commissioner's List is already under review.

For further information, please contact: Federal and State Education Policy, (512)463-9414

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes, any charter school that has a kindergarten program.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No, however, the new multidimensional assessments will be added to the Commissioners list, which is posted to TEA's webpage.

HB 2549

Amends Section 28.008, Education Code

Summary: Vertical teams established under TEC §28.008 will be required to periodically review and revise the college readiness standards and recommend revised standards for approval by the Commissioner of Education and the Texas Higher Education Coordinating Board (THECB).

The Commissioner of Education and the THECB are required to establish a schedule for the periodic review, giving consideration to the revision cycle of the Texas Essential Knowledge and Skills (TEKS).

Change from current law: There currently is no provision for or requirement of revisions to the College and Career Readiness Standards (CCRS).

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Amendments should be made to TAC §74.1001 (College Readiness Vertical Team) to establish the schedule for review of the CCRS. This should be done in coordination with the THECB which will need to amend companion rules in TAC §4.711 – 4.714.

Outstanding Issues: Once the schedule is in place, TEA will need to work with the THECB to facilitate periodic reviews of the CCRS.

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 435

Amends Section 28.009, Education Code

Summary: The September 1, 2013, expiration date is eliminated from TEC, §28.009(a-2) which establishes that a school district is not required to pay a student's tuition or other associated costs under the College Credit Program.

Change from current law: Currently, statute requires each school district to offer students the opportunity to earn the equivalent of at least 12 semester credit hours of college credit while in high school. The college credit may be earned through International Baccalaureate, Advanced Placement, dual credit, advanced technical credit, or locally articulated courses. Statute establishing that a school district is not required to pay a student's tuition or other associated costs related to the College Credit Program was set to expire on September 1, 2013.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 842

Amends Section 28.009, Education Code

Summary: As part of the college credit program, districts may provide students the opportunity to earn credit for a course or activity including an apprenticeship or training hours that:

- satisfies a requirement necessary to obtain an industry-recognized credential or certificate or an associate degree; and
- is approved by the Texas Higher Education Coordinating Board

Change from current law: Current law requires each school district to implement a program under which students may earn the equivalent of at least 12 semester credit hours of college credit in high school. Current law does not include apprenticeships as eligible options for the college credit program.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: This bill is permissive and applies beginning with the 2013-2014 school year

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 11, 15 & 20

Section 11 amends Section 28.0211(m) and adds Subsection 28.0211(m-1); Section 15 adds Section 28.0217; and Section 20 adds Subsections 29.081(b-1), (b-2), and (b-3), Education Code

Summary: Section 11 specifies that when the commissioner certifies the Student Success Initiative (SSI) and the accelerated instruction requirements of TEC, §28.0217, the commissioner shall consider the following: the average cost per student per assessment administration; the number of students requiring accelerated instruction; whether sufficient funds have been

appropriated for drop-out prevention; and whether sufficient funds have been appropriated for instructional materials that are aligned with the STAAR assessments.

HB 5, section 15, adds new TEC, 28.0217 to require that each time a student fails an EOC assessment, the school district will provide the student with accelerated instruction in the subject using appropriated funds for that purpose under amended TEC, §28.0211(m) (related to commissioner certification of the Student Success Initiative). Accelerated instruction may require a student to participate outside normal school hours.

HB 5, section 20, adds new TEC, §29.081(b-1) requiring a district to offer accelerated instruction to each student in a subject in which the student failed an EOC assessment before the next administration without any cost to the student. Per added (b-2), the district is required to budget separate funds for the accelerated instruction required under new TEC, §29.081(b-1). Pursuant to added (b-3), districts must annually evaluate the effectiveness of this instruction and hold a public hearing to consider the results.

Change from current law: HB 5 specifies what the commissioner must consider when certifying SSI and accelerated instruction requirements. Districts are now required to allocate funding for accelerated instruction based on EOC assessments. This accelerated instruction must be provided at no charge to the student and given before the next administration of the applicable assessment. The district must also evaluate the effectiveness of the accelerated instruction and provide the evaluation's results in a public hearing.

Effective Date: June 10, 2013

Action required for 2013–14 School Year:

Commissioner rulemaking is anticipated to specify in rule that districts will provide accelerated instruction for EOC assessments at no cost to the student before the next administration of that assessment and that districts will annually evaluate the effectiveness of the accelerated instruction and hold a public hearing to consider the results.

Outstanding Issues: None

For further information, please contact:
Student Assessment, (512)463-9536
Curriculum, (512)463-9581

Rulemaking Authority: Commissioner.

Does this expressly apply to charters? Yes, the provisions of sections 11, 15, and 20 apply to charters.

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Districts must annually evaluate the effectiveness of accelerated instruction for EOC assessments and hold a public hearing to consider the results.

Does this bill require the agency or ISD to post information to their website? No

HB 5, Sections 12-14

Adds Section 28.02121 and amends Subsections 28.0212(a) and (b), Education Code

Summary: A principal of a junior high or middle school must designate a school counselor, teacher, or other appropriate individual to develop and administer a personal graduation plan for each student enrolled in the junior high or middle school who:

- (1) does not perform satisfactorily on an assessment instrument administered under Subchapter B, Chapter 39; or
- (2) is not likely to receive a high school diploma before the fifth school year following the student's enrollment in grade level nine, as determined by the district.

The agency, in consultation with the Texas Workforce Commission (TWC) and the Texas Higher Education Coordinating Board (THECB), must prepare and make available to each school district in English and Spanish information that explains the advantages of the distinguished level of achievement and each endorsement. The information must contain an explanation:

- (1) concerning the benefits of choosing a high school personal graduation plan that includes the distinguished level of achievement under the foundation high school program and includes one or more endorsements to enable the student to achieve a class rank in the top 10 percent for students at the campus; and
- (2) that encourages parents, to the greatest extent practicable, to have the student choose a high school personal graduation plan.

A school district must publish the information provided to the district on its Internet website and ensure that the information is available to students in grades nine and above and the parents or legal guardians of those students in the language in which the parents or legal guardians are most proficient. A district is required to provide information in the language in which the parents or legal guardians are most proficient only if at least 20 students in a grade level primarily speak that language.

Each high school principal must designate a school counselor or school administrator to review personal graduation plan options with each student entering grade nine together with that student's parent or guardian. The personal graduation plan options reviewed must include the distinguished level of achievement and the endorsements. Before the conclusion of the school year, the student and the student's parent or guardian must confirm and sign a personal graduation plan for the student. A high school personal graduation plan must identify a course of study that:

- (1) promotes college and workforce readiness and career placement and advancement; and
- (2) facilitates the student's transition from secondary to postsecondary education.

A school district may not prevent a student and the student's parent or guardian from confirming a personal graduation plan that includes pursuit of a distinguished level of achievement or an endorsement.

A student may amend the student's personal graduation plan after the initial confirmation of the plan. If a student amends his or her personal graduation plan, the school must send written notice to the student's parents regarding the change.

Change from current law: Current law requires personal graduation plans only for students in junior high, middle, or high school who do not perform satisfactorily on a state assessment instrument or who are not likely to receive a high school diploma before the fifth school year following enrollment in the 9th grade. These personal graduation plans are not required to identify intended coursework.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: The agency, in consultation with TWC and the THECB, must prepare and make information available to each school district that explains the advantages of the distinguished level of achievement and each endorsement. Each school district must publish the information on its Internet website and ensure that the information is available to students in grades nine and above and their parents/guardians.

Each high school principal must designate a school counselor or school administrator to review personal graduation plan options with each student entering grade nine together with that student's parent or guardian and to confirm and sign a personal graduation plan for the student.

For further information, please contact: Curriculum Division, (512) 463-9581
Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes. Each school district must publish information that explains the advantages of the distinguished level of achievement and each endorsement provided by TEA to the district on its website.

SB 1365

Amends Section 28.023, Education Code

Summary: SB 1365 specifies that a student in grade 6 or higher is not required to take an end-of-course (EOC) assessment in a subject area for which the student received credit-by-exam (CBE).

SB 1365 is not in conflict with amended TEC, §39.023(a-2) from HB 5, which says a student must test at grade level in grades 3–8 if federally required. However, at this time it is unclear if there are any federal accountability implications due to the EOC assessment exemption for CBE students. SB 1365 does overlap with TEC, §39.025(a-1), which governs the use of substitute assessments to be used in place of state-developed EOC assessments.

Change from current law: Currently, students receiving course credit through CBE must still take the required EOC assessment for that course to receive a Texas diploma.

Effective Date: June 14, 2013

Action required for 2013–14 School Year:

Outstanding Issues: Though SB 1365 is not in conflict with amended TEC, §39.023(a-2) from HB 5, the agency must determine if there are any federal accountability implications due to the EOC assessment exemption for CBE students. It is likely that a waiver would need to be sought from the United States Department of Education in order to exempt students receiving CBE from federal accountability.

For further information, please contact: Curriculum Division, (512)463-9581.
Student Assessment Division,
(512) 463-9536
Performance Reporting, (512)463-9704

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 16

Amends Section 28.025, Education Code

Summary: The Minimum High School Program (MHSP), Recommended High School Program (RHSP), and Distinguished Achievement Program (DAP) will be replaced with the foundation high school program beginning with the 2014-2015 school year. The Commissioner by rule must adopt a transition plan to implement and administer the amendments made by HB 5, replacing the MHSP, RHSP, and DAP with the foundation high school program beginning with the 2014-2015 school year. Under the transition plan, a student who entered the ninth grade before the 2014-2015 school year must be permitted to complete the curriculum requirements for high school graduation under

- the foundation high school program, if the student chooses during the 2014-2015 school year to take courses under this program;
- the MHSP, if the student was participating in that program before the 2014-2015 school year;
- the RHSP, if the student was participating in that program before the 2014-2015 school year; or
- the DAP, if the student was participating in that program before the 2014-2015 school year.

The Commissioner by rule must permit a student who is participating in the MHSP, RHSP, or DAP and who is completing the fourth year of high school during the 2013-2014 school year who does not satisfy the curriculum requirements of the high school program in which the student is participating to graduate if the student satisfies the curriculum requirements established for the foundation high school program.

A school district must ensure that each student, on entering ninth grade, indicates in writing an endorsement that the student intends to earn. A district must permit a student to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated. A student may graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year,

- (1) the student and the student's parent/guardian are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and

- (2) the student's parent/guardian files with a school counselor written permission, on a form adopted by the agency, allowing the student to graduate under the foundation high school program without earning an endorsement.

The State Board of Education (SBOE) must require that the foundation high school program include successful completion of

- four credits in English language arts including English I, English II, English III, and an advanced English course
- three credits in mathematics including Algebra I, geometry, and an advanced mathematics course
- three credits in science including biology, an advanced science course, and IPC or an additional advanced science course
- three credits in social studies including U.S. History, one-half credit in U.S. Government, one-half credit in economics, and world geography or world history or a combined world geography/world history course
- two credits in the same language in a language other than English or two credits in computer programming languages
- one credit in fine arts
- one credit in physical education
- five elective credits

In adopting rules the SBOE must require a student in order to earn any endorsement

to successfully complete in addition to the curriculum requirements for the foundation program

- four credits in mathematics which must include the courses required for the foundation program and an additional advanced mathematics course or an advanced CTE course designated by the SBOE;
- four credits in science which must include the courses required for the foundation program and an additional advanced science course or an advanced CTE course designated by the SBOE; and
- two additional elective credits.

A student may earn an endorsement on the student's diploma and transcript by successfully completing curriculum requirements for that endorsement adopted by SBOE rule. The SBOE must provide students with multiple options for earning each endorsement, including, to the greatest extent possible, coherent sequences of courses. The SBOE by rule must permit a student to enroll in courses under more than one endorsement curriculum before the student's junior year. An endorsement may be earned in any of the following categories:

- Science, technology, engineering, and mathematics (STEM), which includes courses directly related to science, including environmental science, technology, including computer science, engineering, and advanced mathematics
- Business and industry, which includes courses directly related to database management, information technology, communications, accounting, finance, marketing, graphic design, architecture, construction, welding, logistics, automotive technology, agricultural science, and heating, ventilation, and air conditioning
- Public services, which includes courses directly related to health sciences and occupations, education and training, law enforcement, and culinary arts and hospitality
- Arts and humanities, which includes courses directly related to political science, world languages, cultural studies, English literature, history, and fine arts
- Multidisciplinary studies, which allows a student to select courses from the curriculum of each endorsement area and earn credits in a variety of advanced courses from multiple content areas sufficient to complete the distinguished level of achievement under the foundation high school program

The SBOE must develop additional curriculum requirements for each endorsement with the direct participation of educators and business, labor, and industry representatives, and must require each school district to report to the agency the categories of endorsements for which the district offers all courses for curriculum requirements, as determined by board rule.

The SBOE must adopt criteria to allow a student participating in the arts and humanities endorsement, with the written permission of the student's parent/guardian, to comply with the requirement for a fourth science credit necessary to earn an endorsement by substituting a course related to that endorsement.

Each school district must make available to high school students courses that allow a student to complete the curriculum requirements for at least one endorsement. A school district that offers only one endorsement curriculum must offer the multidisciplinary studies endorsement curriculum.

A student may earn a distinguished level of achievement under the foundation high school program by successfully completing

- four credits in mathematics, which must include Algebra II;

- four credits in science;
- the remaining curriculum requirements for the foundation program; and
- the curriculum requirements for at least one endorsement.

A student may earn a performance acknowledgment by satisfying requirements adopted by SBOE rule. An acknowledgment may be earned for any of the following:

- For outstanding performance
 - in a dual credit course
 - in bilingualism and biliteracy
 - on an AP test or IB exam
 - on the PSAT, the ACT-Plan, the SAT, or the ACT
- For earning a nationally or internationally recognized business or industry certification or license

In accordance with SBOE rule, a school district must clearly indicate a distinguished level of achievement under the foundation high school program, an endorsement, and a performance acknowledgment on the diploma and transcript of a student who satisfies the applicable requirements.

At the end of each school year, each school district must report through the Public Education Information Management System (PEIMS) the number of district students who, during that school year, were

- (1) enrolled in the foundation high school program;
 - (2) pursuing the distinguished level of achievement;
- and
- (3) enrolled in a program to earn an endorsement.

This information must be disaggregated by all student groups served by the district, including categories of race, ethnicity, socioeconomic status, sex, and populations served by special programs, including students in special education programs.

In adopting rules, the SBOE must provide for a student to comply with the curriculum requirements for an advanced English course taken after successful completion of English I, English II, and English III, for an advanced mathematics course taken after the successful completion of Algebra I and geometry and for any advanced science course by successfully completing a course in the appropriate content area that has been approved as an advanced course by SBOE rule or that is offered as an advanced course for credit without SBOE approval.

The SBOE must approve a variety of advanced English, mathematics, and science courses that may be taken to comply with the foundation high school program

requirements provided that each approved course prepares students to enter the workforce successfully or postsecondary education without remediation.

The SBOE, in coordination with the THECB, must adopt rules to ensure that a student may comply with the curriculum requirements under the foundation high school program or for an endorsement by successfully completing appropriate courses in the core curriculum of an institution of higher education.

A school district, with the approval of the Commissioner, may allow a student to satisfy the required fine arts credit by participating in a community-based fine arts program not provided by the school district in which the student is enrolled. The fine arts program must provide instruction in the TEKS identified for fine arts by the SBOE. The fine arts program may be provided on or off a school campus and outside the regular school day.

The SBOE must allow a student to substitute credit in another appropriate course for the second credit in the same language in a language other than English if the student, in completing the first credit, demonstrates that the student is unlikely to be able to complete the second credit. The SBOE rules must establish the standards and, as applicable, the appropriate school personnel for making a determination and appropriate substitute courses for this purpose.

The SBOE must allow a student who, due to disability, is unable to complete two courses in the same language in a language other than English, to substitute for those credits two credits in English language arts, mathematics, science, social studies, CTE, or technology applications. A credit allowed to be substituted may not also be used by the student to satisfy a graduation credit requirement other than credit for completion of a language other than English. The determination regarding a student's ability to participate in language other than English courses will be made

- by the student's admission, review, and dismissal committee if the student receives special education services; or
- by the committee established for the student if the student does not receive special education services, but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

Change from current law: Currently, students may graduate on one of three high school graduation programs—minimum, recommended, or advanced. To graduate on the MHSP a student must earn a total of 22

credits. To take courses under the MHSP, students must meet one of three specified criteria and there must be written agreement between the student, the student's parent, and the school. Additionally, any student who receives instruction in modified content automatically defaults to the MHSP. To graduate on the RHSP or on the advanced program/DAP, students must earn a total of 26 credits including four credits each in English language arts, mathematics, science, and social studies.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: The Commissioner by rule must adopt a transition plan to implement and administer the amendments made by HB 5, replacing the MHSP, RHSP, and DAP with the foundation high school program beginning with the 2014-2015 school year. The SBOE must adopt rules outlining curriculum requirements for each endorsement and requirements for performance acknowledgments.

Outstanding Issues: Beginning with the 2014-2015 school year districts must offer courses necessary for the distinguished level of achievement and at least one endorsement. A school district must clearly indicate a distinguished level of achievement under the foundation high school program, an endorsement, and a performance acknowledgment on the diploma and transcript of a student who satisfies the applicable requirements. A school district must ensure that each student, on entering ninth grade, indicates in writing an endorsement that the student intends to earn.

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: Commissioner and SBOE

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes. At the end of each school year, each school district must report through the PEIMS the number of district students who, during that school year, were

- (1) enrolled in the foundation high school program;
- (2) pursuing the distinguished level of achievement;
- and
- (3) enrolled in a program to earn an endorsement.

Does this bill require the agency or ISD to post information to their website? No

HB 1122

Adds Sections 28.0255 and 42.2526,
Education Code

Summary: A school district with an enrollment of more than 150,000 students and located primarily in a county that has a population of 2.2 million or more and that is adjacent to a county with a population of more than 600,000 may develop and implement a pilot program for students who wish to obtain a high school diploma after completion of three years of secondary school attendance as an alternative to the traditional four-year period of attendance.

The pilot program must be designed to serve the educational needs of students who do not anticipate immediate enrollment in a four-year college or university after graduation from high school and to include partnerships between the school district and public junior colleges, public technical institutes, public state colleges, and any other public postsecondary institutions that offer academic or technical education or vocational training under a certificate program or an associate degree program to facilitate the prompt enrollment of students in those institutions after high school graduation under the program.

A school district implementing this pilot must specify the curriculum requirements for receiving a high school diploma under the pilot program and those requirements would be required to ensure that a student who graduates under the program possesses sufficient knowledge and skills in English language arts and mathematics to be capable of performing successfully in public junior college-level courses. A school district must also submit proposed curriculum requirements to the State Board of Education for comment and the Commissioner for approval and may not implement the program before obtaining the Commissioner's approval.

For a school district that operates this pilot program, beginning with the first school year that follows the first school year in which students receive high school diplomas under the pilot program, the Commissioner must provide funding for the district's prekindergarten program on a full-day basis for a number of prekindergarten students equal to twice the number of students who received a high school diploma under the pilot program during the preceding school year.

Change from current law: Current law permits students to graduate early, but not on an alternative graduation program.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: An eligible district is required to submit curriculum requirements to the agency and SBOE prior to implementing the pilot.

Outstanding Issues: Once the district has its first graduating class under this program, the Commissioner must provide funding for the district's prekindergarten program in the following school year.

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Sections 18 & 64

Amends Sections 28.026 and 51.803, Education Code

Summary: Each general academic teaching institution must admit an applicant for admission to the institution as an undergraduate student if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and the applicant successfully completed at a public high school, the curriculum requirements distinguished level of achievement under the foundation high school program.

The Texas Higher Education Coordinating Board and the Commissioner of Education must jointly adopt rules to establish eligibility requirements for admission under this section as to curriculum requirements for high school graduation for students participating under the recommended or advanced high school program so that the admission of those students is not affected by their participation in the recommended or advanced high school program.

The board of trustees of a school district and the governing body of each open-enrollment charter school that provides a high school must require each high school in the district or provided by the charter school, as applicable, to post appropriate signs in each counselor's office, in each principal's office, and in each administrative building indicating the substance of TEC, §51.803 regarding automatic college admission and stating the curriculum requirements for financial aid authorized under Title 3. To assist in the dissemination of that information,

the district or charter school must

- require that each high school counselor and class advisor be provided a detailed explanation of the substance of Section 51.803 and the curriculum requirements for financial aid authorized under Title 3;
- provide each district or school student, at the time the student first registers for one or more classes required for high school graduation, with a written notification, including a detailed explanation in plain language, of the substance of Section 51.803, the curriculum requirements for financial aid authorized under Title 3, and the benefits of completing the requirements for that automatic admission and financial aid;
- require that each high school counselor and senior class advisor explain to eligible students the substance of Section 51.803; and
- not later than the 14th day after the last day of classes for the fall semester or an equivalent date in the case of a school operated on a year-round system, provide each senior student eligible under Section 51.803 and each student enrolled in the junior year of high school who has a grade point average in the top 10 percent of the student's high school class, and the student's parent/guardian, with a written notification of the student's eligibility with a detailed explanation in plain language of the substance of Section 51.803.

The Commissioner must adopt forms, including specific language, to use in providing notice. In providing notice, a school district or open-enrollment charter school must use the appropriate form adopted by the Commissioner. The notice to a student and the student's parent/guardian must be on a single form that contains signature lines to indicate receipt of notice by the student and the student's parent/guardian. The notice must be signed by the student's counselor in addition to being signed by the student and the student's parent/guardian.

Change from current law: Under current law a public school student is eligible for automatic college admission if the applicant graduated with a grade point average in the top 10 percent of the student's high school graduating class in one of the two school years preceding the academic year for which the applicant is applying for admission and the applicant successfully completed at a public high school, the curriculum requirements for the recommended or distinguished achievement high school program.

Current law requires notification of requirements for automatic college admission for school districts, but not charter schools. Current law does not explicitly require notification of curriculum requirements for financial aid.

Current law does not require a school counselor's signature on the notice.

Effective Date: June 10, 2013; applies beginning with the 2014-2015 school year.

Action required for 2013-14 School Year: None

Outstanding Issues: The board of trustees of a school district and the governing body of each open-enrollment charter school that provides a high school must require each high school in the district or provided by the charter school, as applicable, to provide notification to students regarding automatic college admission curriculum requirements for financial aid.

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 816

Amends Section 29.004(a) and adds Subsections 29.004(a-1), (a-2) and (a-3), Education Code

Summary: The amendment changes the timeline for initial special education evaluations from 60 calendar days from the date of signed, parental consent to 45 school days from the date of signed, parental consent unless certain circumstances apply. The circumstances appear below.

- If a student is absent from school during that 45-school-day period for three or more days, that period must be extended by the number of school days equal to the number of school days during that period that the student was absent.
- For students under five years of age by September 1 of the school year who are not enrolled in public school and for students enrolled in a private or home school setting, the student's initial special education evaluation must be completed no later than the 45th school day following the date on which the school district receives written consent for the evaluation, signed by a student's parent or legal guardian.
- If a school district receives written consent signed by a student's parent or legal guardian for a full individual and initial evaluation of a student at least 35 but fewer than 45 school days before the last instructional day of the school year, the evaluation must be completed and the written report of the evaluation must be provided to the parent or legal guardian no later than June 30 of that year. The student's admission,

review, and dismissal committee shall meet not later than the 15th school day of the following school year to consider the evaluation.

- If a school district receives written consent signed by a student's parent or legal guardian less than 35 school days before the last instructional day of the school year or if the district receives the written consent at least 35 but fewer than 45 school days before the last instructional day of the school year but the student is absent from school during that period for three or more days, a written report of a full individual and initial evaluation shall be completed no later than the 45th school day following the date on which the school district receives signed, parental consent and except that the timeframe can be extended by the number of school days equal to the number of school days during that period that the student was absent.

The amendment also requires that, if a parent or legal guardian makes a written request to a school district's director of special education services or to a district administrative employee for a full individual and initial evaluation of a student, the district shall, not later than the 15th school day after the date the district receives the request: (1) provide an opportunity for the parent or legal guardian to give written consent for the evaluation or (2) refuse to provide the evaluation and provide the parent or legal guardian with notice of procedural safeguards under 20 U.S.C. Section 1415(b).

Change from current law: Currently, a school district has 60 calendar days from the date that the school district receives signed, parental consent to evaluate the student in order to complete the student's initial special education evaluation.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Initial special education evaluations will need to be completed on a different timeline than was previously required.

Outstanding Issues: The commissioner, by rule, may determine days during which year-round schools are recessed that, consistent with this subsection, are not considered to be school days for purposes of the amended TEC §29.004.

For further information, please contact: Federal and State Education Policy,
(512)463-9414

Rulemaking Authority? None

Does this expressly apply to charters? No, but charter schools must implement the requirements of Subchapter A, of Chapter 29 of the TEC.

Does this bill contain a new reporting requirement for TEA/school districts? No However, the current SPP reporting parameters related to timely completion of initial evaluations will need to be amended to reflect the change.

Does this bill require the agency or ISD to post information to their website? No

SB 914

Amends Section 29.005(g), Education Code

Summary: Requires that a behavior improvement plan or a behavioral intervention plan developed for the student by the student's admission, review, and dismissal committee be included as part of the student's individualized education program (IEP) and requires that the student's behavior improvement plan or behavioral intervention plan be provided to each teacher with responsibility for educating the student.

Change from current law: Previously, no rule or regulation required that a student's behavior improvement plan or behavioral intervention plan be included as part of a student's IEP, and no rule or regulation required that a student's teacher be provided with a copy of the student's behavior improvement plan or behavioral intervention plan.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The only additional action required is that local education agencies must ensure that a student's teacher receives a copy of the student's behavior improvement plan or behavioral intervention plan.

Outstanding Issues: None

For further information, please contact: Federal and State Education Policy, (512)463-9414

Rulemaking Authority: None

Does this expressly apply to charters? No, but charters will be required to implement it.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No However, the model IEP form that is required to be posted to TEA's website must be amended to include the new requirement.

HB 617

Amends Section 29.011 and adds Section 29.0112, Education Code

Summary: This bill relates to transition and employment services for public school students enrolled in special education

Sec. 29.011: This section requires districts or shared services arrangements (SSAs) to designate an employee to serve as the “designee on transition and employment services” and be trained per the minimum training guidelines, which must be established by the commissioner. The designee must provide information and resources about effective transition planning and services and interagency coordination to ensure that local school district staff communicates such information.

Sec. 29.0112: The Agency in collaboration with the Health and Human Services Commission (HHSC) must develop and maintain a transition and employment guide in an electronic format to be posted on the agency’s website. The new section details what information must be included in the guide. The agency must update the guide at least once every two years. A school district must post the guide on the district’s website (if one is maintained) and must provide written information and assistance to a parent regarding how to access the electronic version of the guide at the first meeting of the student’s admission, review, and dismissal committee (ARDC) in which transition is discussed or at the first committee meeting occurring after the date that the guide becomes available if the student’s ARDC has already discussed transition.

Change from current law: Yes, a district or SSA must “designee on transition and employment services.” Requirement for a transition or employment guide. .

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Districts or SSAs must designate an employee to serve as the “designee on transition and employment services” and be trained per the minimum training guidelines, which must be established by the commissioner.

Outstanding Issues: The Agency, in collaboration with the Health and Human Services entity, must develop and maintain a transition and employment guide in an electronic format to be posted on the agency’s website as well as the districts’ websites. The guide must be completed no later than September 1, 2014. A district must provide written information and assistance accessing the electronic version when requested. The commissioner must develop minimum training guidelines for a district’s or SSA’s designee.

For further information, please contact:
Federal and State Education Policy,
(512)463-9414

Rulemaking Authority Commissioner

Does this expressly apply to charters? No, but charter schools are required to implement Subchapter A, of Chapter 29 of the TEC.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes

SB 709

Adds Section 29.0162, Education Code

Summary: The bill would allow a non-attorney who meets certain qualifications to represent a party in a special education due process hearing.

Change from current law: Current law does not authorize a non-attorney to represent a party in a special education due process hearing. A recent attorney general opinion states that without a specific exception in state law, the general rule against the practice of law by non-attorneys applies to special education due process hearings.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The commissioner must adopt rules relating to additional qualifications of a non-attorney representative.

Outstanding Issues: Not applicable

For further information, please contact:
Maggie Baker, Office of Legal Services
(512)463-9720

Rulemaking Authority: Commissioner

Does this expressly apply to charters? There are no references to charter schools in the bill; however, both federal and state special education requirements apply to charter schools.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 542

Adds Sections 29.019 and 29.020,
Education Code

Summary: Section 29.019 requires TEA to provide information to parents regarding individualized education program (IEP) facilitation as an alternative dispute resolution method that may be used to avoid a potential dispute between a school district and a parent of a student with a disability. A district that chooses to use individualized education program facilitation shall provide information to parents regarding individualized education program facilitation. Section 29.019 dictates what information must be disseminated and how it must be disseminated.

If a school district chooses to offer individualized education program facilitation as an alternative dispute resolution method: (1) the district may determine whether to use independent contractors, district employees, or other qualified individuals as facilitators; (2) the information provided by the district under this section must include a description of any applicable procedures for requesting the facilitation; and (3) the facilitation must be provided at no cost to a parent.

Section 29.019 clarifies that the use of any alternative dispute resolution system must be voluntary and cannot be used to delay or deny the right to request mediation, file a special education complaint, or request a due process hearing.

A school district may use facilitated IEP meetings as the district's "preferred method" for conducting admission, review, and dismissal committee (ARDC) meetings.

The commissioner must adopt rules as necessary to implement §29.019.

Section 29.020 requires TEA to develop rules applicable to the administration of a state individualized education program facilitation project. The program shall include the provision of an independent individualized education program facilitator to facilitate an admission, review, and dismissal committee meeting with parties who are in a dispute about decisions relating to the provision of a free appropriate public education to a student with a disability. Section 29.020 dictates what the adopted rules must address. The commissioner may use federal funds, if available, to implement the individualized education program facilitation project. The commissioner must adopt rules necessary to implement §29.020

Change from current law: Currently, there are no requirements related to facilitated IEP meetings.

Effective Date: Effective immediately and applies beginning with the 2014-15 school year.

Action required for 2013-14 School Year: None; however, rulemaking and development of the definition, forms, requirements, and conditions for FIEP, as well as the RFQ will be completed in the 2013-14 school year.

Outstanding Issues: TEA must provide information related to facilitated IEP meetings to parents, must adopt rule related to the implementation of §29.019, must adopt rule related to §29.020, and must implement the state individualized education program facilitation project beginning with the 2014-15 school year.

For further information, please contact: Federal and State Education Policy, (512)463-9414

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No, but charter schools are required to implement Subchapter A, of Chapter 20 of the TEC.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 742

Adds Section 29.091, Education Code

Summary: Requires the commissioner of education to create a pilot program through a competitive grant to up to 10 economically disadvantaged school districts to provide summer instruction to students in prekindergarten through grade 8 and teaching opportunities for high-performing, new, and student teachers. The bill includes compensation for teachers in the program and requires reporting and evaluation to determine the effectiveness of the summer program and its instruction.

Change from current law: Not applicable

Effective Date: September 1, 2013

Action required for 2013-14 School Year: TEA is required to develop, implement, and evaluate a new summer instruction program.

Outstanding Issues: TEA will need to determine Source of Funds and total amount available/necessary for funding the pilot program.

For further information, please contact: Federal and State Education Policy, (512)463-9414

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes

Does this bill require the agency or ISD to post information to their website? No

HB 376

Amends Section 29.158(d), Education Code. Amends Sections 2155.202, 2308.315, 2308.316 and 2308.3171, Government Code
Adds Sections 2308.3155, 2308.317(a)(c) and (d), 2308.320, 2308.321, Government Code

Summary: This bill relates to the regulation of child-care providers by the Texas Workforce Commission and local workforce development boards as well as the Texas Rising Star (TRS) Program certification which is a voluntary, quality-based child care rating system of child care providers participating in the subsidized child care program and its established reimbursement rates. The TRS includes guidelines for rating a child care provider who provides child care to a child younger than 13 years of age, including infants and toddlers.

Change from current law: The bill makes changes to the child care subsidy system for low-income and at-risk children. Specifically, this bill creates incentives for child care programs to achieve higher levels of quality, enable the state to benchmark quality in child care programs and educate parents on how to distinguish between 2-star, 3-star, and 4-star quality designations.

Additionally, in Sec. 2308.321, the bill requires an advisory committee titled, The Texas Rising Star Program Review Work Group. The work group's mission will be to provide recommendations to the executive director of the commission relating to the Texas Rising Star Program.

Effective Date: September 1, 2013

Action required for 2013-14 School Year:

Outstanding Issues:

For further information, please contact: Federal and State Education Policy,
(512)463-9414

Rulemaking Authority: None

Does this expressly apply to charters? This bill does not specifically mention charter schools. However, if a charter operates a child care that is regulated by TWC, and they already participate in the Texas Rising Star, changes would be applicable.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 22-23

Amends Sections 29.182 and 29.190, Education Code

Summary: The state plan for career and technical education (CTE) must include procedures designed to ensure that a school district provides, to the greatest extent possible, to a student participating in a CTE program opportunities to enroll in dual credit courses designed to lead to a degree, license, or certification as part of the program.

A student is entitled to a subsidy for a certification examination if the student successfully completes the CTE program of a school district in which the student receives training and instruction for employment; or is enrolled in a special education program under Subchapter A; and the student passes a certification examination to qualify for a license or certificate.

On approval by the Commissioner, the agency must pay each school district an amount equal to the cost paid by the district for the certification examination. To obtain reimbursement for a subsidy paid by the district, a district must:

- (1) pay the fee for the examination; and
- (2) submit to the Commissioner a written application on a form prescribed by the Commissioner stating the amount of the fee paid for the certification examination.

Change from current law: Under current law a student must successfully complete the CTE program of a school district in which the student receives training and instruction for employment in a current or emerging high-demand, high-wage, high-skill occupation. The student must submit to the district a written application in the form, time, and manner required by the district for the district to subsidize the cost of an examination. Current statute allows for a student paid fee to be eligible for reimbursement with the subsidy.

Effective Date: June 10, 2013; applies beginning with the 2013-2014 school year.

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 307

Amends Sections 7.021, 29.251, 29.252 and 29.255, Education Code; Amends Sections 302.004 and 302.062, Labor Code; Adds Chapter 315 Labor Code; Repeals Sections 7.102(c), 29.253, 29.2531 and 29.254, Education Code. Repeals Chapter 312, Labor Code

Summary: The bill transfers all functions, duties, appropriations and responsibilities for state and federal adult education and literacy programs from the Texas Education Agency (TEA/Agency) to the Texas Workforce Commission (TWC or Commission). The bill defines duties for the TWC, composition and responsibilities of the advisory council and multi-agency coordination requirements, and removes references to the program from the Education Code.

Change from current law: These functions are currently being performed by the Texas Education Agency.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Yes.

Outstanding Issues:

The required MOU will describe ongoing activities to occur before and after the effective date of the bill, to include activities associated with maintaining the four data applications, final reporting to USDE, and final grant and accounting processes needed to close grant activities that precede the effective date.

For further information, please contact: Federal and State Education Policy,
(512)463-9414

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 1142

Adds Section 29.259 and amends Section 42.003(a), Education Code

Summary: This bill requires the Texas Education Agency to create an Adult High School Diploma and Industry Certification Charter School Pilot Program for adults ages 19-50.

Change from current law: Section 29.259 is a new section creating the Adult High School Diploma and Industry Certification Charter School Pilot Program. Section 42.003(a)(2) is added to expand the definition of a student entitled to FSP funds that are enrolled in an adult high school diploma and industry certificate program.

Effective Date: September 1, 2013

Action required for 2013-14 School Year:

Outstanding Issues: The federal adult education program was transferred from the TEA to the Texas Workforce Commission under SB 307, which will require increased coordination between the two agencies to implement the legislation.

For further information, please contact:
Charter School Administration
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 860

Amends Sections 29.402 and 29.403, Education Code

Summary: A public junior college may partner with a public technical institute to provide, as part of the dropout recovery program curriculum, CTE courses that lead to industry or career certification. A public technical institute may receive a negotiated amount from a partnering public junior college for each student enrolled in one of these CTE courses.

Change from current law: Currently, a public junior college may enter into an articulation agreement with one or more school districts located in the public junior college district to provide, on the college campus, a dropout recovery program for eligible students to successfully complete and receive a diploma from a high school of the appropriate partnering school district. A public junior college may now partner with a public technical institute to provide CTE courses as part of the dropout recovery program.

Effective Date: May 24, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 1557

Amends Section 29.908, Education Code

Summary: The commissioner of education must collaborate with the Texas Workforce Commission (TWC) and the Texas Higher Education Coordinating Board (THECB) to develop and implement a strategic plan to enhance private industry involvement in the Early College Education Program. The strategic plan must address strategies to increase private industry participation in the Early College Education Program and to identify incentives for businesses and nonprofit organizations that choose to make donations and work with Early College High Schools to maximize job placement opportunities for program graduates.

Change from current law: Current statute does not require a strategic plan focusing on enhancing private industry participation in the Early College Education Program and does not include private and nonprofit organizations that contribute to the Early College Education Program as eligible recipients of an Employers of Education Excellence Award.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The commissioner, along with TWC and THECB, must develop a strategic plan to address private industry participation in the Early College Education Program and prepare a report for the legislature and the governor summarizing the strategic plan.

Outstanding Issues: None

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes; the TEA, TWC, THECB must each make the required report available on their respective websites.

SB 1590

Amends Sections 51.305(b) and 29.915(c), Education Code

Effective Date: June 14, 2013

For further information, please contact: Curriculum Division, (512) 463-9581

Summary: The word *important* is changed to the word *critical* in TEC §51.305. The “use of insurance as a means of protecting against financial risk” is added to the list of topics that must be covered in the financial literacy pilot program authorized through §29.915.

Change from current law: Currently insurance is not a required element of the pilot program.

Action required for 2013-14 School Year: None

Outstanding Issues: None

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 308

Adds Section 29.920, Education Code

Effective Date: The statute applies beginning with the 2013-2014 school year.

For further information, please contact: Office of Legal Services (512)463-9720

Summary: This new section states that a school district may educate students about the history of traditional winter celebrations and allow students and staff to offer traditional winter celebration greetings. The section also states that school districts may display scenes or symbols of traditional winter celebrations with certain conditions.

Change from current law: This subject is not currently addressed in the Education Code. Instead, it is a matter of local policy subject to constitutional law. Implementation of this statute will also be subject to relevant constitutional law.

Action required for 2013-14 School Year: Implementation is discretionary so there is no required action.

Outstanding Issues: None

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 3662

Adds Section 29.922, Education Code

Summary: The Texas Workforce Innovation Needs Program is established to provide selected school districts, public institutions of higher education (IHE), and private or independent IHEs with the opportunity to establish innovative programs designed to prepare students for careers for which there is demand in this state and use the results of those programs to inform the governor, legislature, and Commissioner concerning methods for transforming public education and higher education in this state by improving student learning and career preparedness.

To apply, a district or IHE must submit a detailed plan of the instruction and accountability the applicant would provide under the program. The plan must:

- be designed to support improved instruction of and learning by students and provide evidence of the accurate assessment of the quality of learning on campus
- describe any waiver of an applicable prohibition, requirement, or restriction for which the district or institution of higher education intends to apply
- focus on engagement of students in competency-based learning as necessary to earn postsecondary credentials, including:
 - career and technical certificates;
 - associate 's degrees;
 - bachelor 's degrees; and
 - graduate degrees; or
- incorporate career and technical courses into dual enrollment courses or into the early college education program under Section 29.908 to provide students the opportunity to earn a career or technical certificate or associate's degree
- include any other information required by commissioner rule

The Commissioner may charge a fee to a school district or IHE participating in the program. The Commissioner must convene program leaders periodically to discuss methods to transform learning opportunities for all students, build cross-institution support systems and training, and share best practices

Change from current law: Current law does not include this type of program.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: None required; local school districts may apply to participate in the program, once available.

Outstanding Issues: None

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 39

Amends Section 30.002, Education Code

Summary: The bill adds language that would require the evaluation of and subsequent instruction in Braille, concept development, social interaction skills, career planning, assistive technology, including optical devices, independent living skills, recreation and leisure enjoyment, self-determination, and sensory efficiency for students who are blind or visually impaired. These instructional areas are commonly referred to as the Expanded Core Curriculum.

Change from current law: Updates agency references and terminology related to the ECC, and codifies the requirement to provide evaluation and instruction in the elements of the ECC to students who are blind or visually impaired.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Districts must evaluate a student's proficiency in the elements of the ECC and provide instruction as required by the evaluation.

Outstanding Issues: Whether Commissioner Rule will require amendment.

For further information, please contact:
Federal and State Education Policy,
(512)463-9414

Rulemaking Authority: None

Does this expressly apply to charters? The bill requires school districts providing services to students with visual impairments to evaluate and provide necessary instruction in the ECC. Charter schools are not mentioned but it would appear (because the bill language links to Chapter 29 of the TEC and federal IDEA regulations) that

if a charter school has enrolled students with visual impairments, they would need to provide the required evaluation and related instruction.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 590

Adds Subsections 30.002 (c-1) and (c-2), Education Code

Summary: This bill requires an orientation and mobility (O&M) evaluation performed by a certified orientation and mobility specialist (COMS) as part of special education eligibility considerations for children with a suspected or diagnosed visual impairment. Subsection (c-2) requires that a COMS be part of the multidisciplinary team that performs re-evaluations for purposes of continuing eligibility for special education for students with a vision impairment

Change from current law: Adds O&M evaluation to currently require ophthalmological or optometric evaluation, functional vision, and learning media assessments currently required for special education eligibility for students with visual impairments.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: Commissioner's rules need to be adopted by January 1, 2014 to implement the new subsections by the beginning of the 2014-2015 school year.

Outstanding Issues: None

For further information, please contact: Federal and State Education Policy, (512)463-9414

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No, but charters providing services to students with visual impairments will need to ensure that the special education rules are followed (because this bill requires the Agency to amend Commissioner's Rules Chapter 89, Subchapter AA, related to eligibility for special education).

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1926

Adds Sections 26.0031(c-1) and (f); 29.909; 30A.007(a-1); 30A.101(c) and (d); 30A.1042; §30A.105(e); 30A.1052; 30A.153(a-1); 30A.155(e); and 32.005, Education Code

Amends Sections 26.0031(b), (c), and (d); 30A.001(7) and (8); 30A.003; 30A.007(a); 30A.056(a); 30A.101(a); 30A.102; 30A.1021(c); 30A.103(a); 30A.104(b); 30A.1041(a) and (b); 30A.105(a), (a-1), and (d); 30A.106(a); 30A.107(a); 30A.108(b); 30A.1121; 30A.114; 30A.153(a) and (b); and 30A.155(a) and (c-1).

Repeals Sections 30A.101(b) as amended by Chapters 895 (HB 3) and 1328 (HB3646), Acts of the 81st Legislature, Regular Session, 2009.

Summary: This legislation makes changes to the Texas Virtual School Network (TxVSN) and provisions for distance learning courses by a school district or open-enrollment charter school.

The reasons for which a school district or charter school may deny the request of a parent of a student to take a course through the TxVSN are expanded. A district or charter school is permitted to decline to pay the cost for a student to take more than three yearlong courses via the TxVSN, or the equivalent, during any school year. Foundation School Program (FSP) funding is also limited for student enrollment in the TxVSN to a maximum of three electronic courses during any school year, unless the student is enrolled in a full-time online program that was operating on January 1, 2013. Students may take additional TxVSN courses at their own expense. A school district or open-enrollment charter school has the discretion to select a course provider for a course in which a student who has requested enrollment in the TxVSN may enroll based on factors including the provider's informed choice report.

A school district or open-enrollment charter school that seeks to inform other districts or schools of the availability of distance learning courses may submit information to TEA regarding the distance learning course at the beginning of each semester. TEA is required to make the information submitted by these districts or schools available on the TEA website.

The list of course provider's eligible to offer courses through the TxVSN is expanded to include nonprofit or private entities and entities that provide electronic professional development courses through the TxVSN.

School districts and open-enrollment charter schools must adopt written policies to provide students with the opportunity to enroll in courses through the TxVSN and at least once per school year, districts and schools must send to a parent of each student enrolled at the middle or high school level a copy of the policy.

Open-enrollment charter schools must be rated acceptable under TEC, §39.054 to serve as course providers in the TxVSN. Nonprofit and private entities and corporations may act as course providers only if they comply with all applicable federal and state laws prohibiting discrimination, demonstrate financial solvency, and provide evidence of prior successful experience offering

online courses to middle or high school students as determined by the Commissioner. Entities other than school districts or open-enrollment charter schools are prohibited from awarding course credit or diplomas for courses taken through the TxVSN.

TEA is required to publish in a prominent location on the TxVSN website a list of approved courses offered through the network and to develop a comprehensive numbering system for all courses offered through the TxVSN to ensure consistent numbering for similar courses.

The agency is permitted to enter into a reciprocity agreement with one or more states to facilitate expedited course approval. Courses considered through reciprocity agreements must be evaluated to ensure compliance with TxVSN course requirements before they can be offered through the network.

TxVSN Central Operations is required to establish and publish a course submission and approval process that occurs on a rolling basis. TxVSN Central Operations must also provide for renewal of approved courses in accordance with a schedule that coincides with revisions to the TEKS but not later than the 10th anniversary of the previous approval.

Course providers are prohibited from promising or providing equipment or other items of value to a student or his parent as an inducement to enroll in TxVSN courses. The Commissioner is required to revoke approval of courses offered by a course provider that violates these provisions.

The informed choice report information that is required to be published on the TxVSN website for each course provider is expanded. Additional required information includes the name of the entity that developed and provided the course, the course completion rate, and aggregate student performance on assessments for students who were enrolled in the course.

School districts and open-enrollment charter schools are entitled to funding for student enrollment and successful completion of TxVSN courses subject to the limitation of funding for not more than three electronic courses during any school year unless the student is enrolled in a full-time online program that was operating on January 1, 2013.

A district or charter school is permitted to charge a fee for enrollment in an electronic course to a student who elects to enroll in a TxVSN course beyond the three yearlong courses for which a district or school must pay. A student

who is not enrolled on a full-time basis in a district or charter school is not entitled to the benefits of the FSP.

The commissioner is required to conduct a study of each school district's network capabilities to determine whether district and campus network connections meet certain targets. The study must be completed by December 1, 2015.

Change from current law: Current statute establishes reasons under which a district or charter school may deny a student the request to enroll in courses offered through the TxVSN. Districts will now be able to deny such requests only if a student attempts to enroll in a course that is inconsistent with the student graduation plan or requirements for college admission or earning an industry certification, the student request to enroll in a course at a time inconsistent with the enrollment period established by the district or school, or the district or school offers a substantially similar course. Current statute limits the district or charter school to paying only for courses within a normal course load. Districts and charter schools will now be able to decline to pay for the cost for a student to enroll in more than three yearlong courses, unless the student is enrolled in a full-time online program that was operating on January 1, 2013.

Nonprofit and private entities and entities that provide electronic professional development courses are not permitted to serve as course providers in the TxVSN under current statute.

Current statute permits districts to earn up to full-time funding for students who successfully complete courses through the TxVSN.

Effective Date: June 14, 2013. Applies beginning with the 2013-2014 school year.

Action required for 2013-14 School Year: School districts and open-enrollment charter school must adopt written policies to provide students with the opportunity to enroll in courses through the TxVSN and at least once per school year, must send to a parent of each student enrolled at the middle or high school level a copy of the policy.

The agency must develop definitions, standards, and methods for collecting and evaluating evidence of prior successful experience of nonprofit and private entities and professional development providers wishing to offer courses through the TxVSN. The agency must also revise Commissioner's Rules for the TxVSN and the Student Attendance Accounting Manual to align with new and amended requirements. The agency must develop a plan to create a comprehensive course numbering system for

all courses offered through the TxVSN, including dual credit courses, and establish a schedule for submission and review of previously approved TxVSN courses to coincide with revisions to the required curriculum.

Outstanding Issues: None

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes. TEA is required to post information about distance learning courses available from school districts and charter schools and add to the informed choice reports for course providers.

HB 5, Sections 26-28

Amends Section 31.0211 and adds Sections 31.0215 and 31.031, Education Code

Summary: H.B. 5 makes changes related to the Instructional Materials Allotment

Change from current law: Section 26, TEC §31.0211(c): This section is amended to allow districts to purchase instructional materials for college preparatory courses with their IMA funds as provided by TEC §31.031.

Section 27, TEC §31.0215: This section is added to statute. It requires the commissioner to notify each district and charter school of the estimated amount of IMA funds to which they will be entitled for each fiscal year of the biennium. This section also permits districts to order instructional materials before the appropriation for those materials is available. The orders are limited to 80% of their expected IMA. Publishers would be paid for the materials once the appropriated funds are available. Publishers would have the option to decline these orders.

Section 27, TEC §31.031: This section is added to statute. It allows districts to purchase instructional materials for college preparatory courses with their IMA fund.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: Monitor IMA expenditures related to HB5

Outstanding Issues: None

For further information, please contact: Instructional Materials and Educational Technology Division, (512) 463-9601.

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No reporting requirements related to instructional materials

Does this bill require the agency or ISD to post information to their website? No requirements to post information that is related to instructional materials

HB 1926

Adds Section 32.005, Education Code

Summary: This section requires the commissioner to conduct a study to assess the network capabilities of each school district. The study must collect sufficient information to determine whether the network connections of a district and school campuses in the district meet the following targets:

- (1) an external Internet connection to a campus's Internet service provider featuring a bandwidth capable of a broadband speed of at least 100 megabits per second for every 1,000 students and staff members; and
- (2) an internal wide area network connection between the district and each of the school campuses in the district featuring a bandwidth capable of a broadband speed of at least one gigabit per second for every 1,000 students and staff members.
 - (b) The commissioner may solicit and accept gifts and grants from any public or private source to conduct the study. The commissioner may also cooperate or collaborate with national organizations conducting similar studies.
 - (c) The commissioner shall complete the study not later than December 1, 2015. This section expires December 1, 2016.

Change from current law: Added New Section

Effective Date: June 14, 2013

Action required for 2013-14 School Year: No

Outstanding Issues: None

For further information, please contact: Instructional Materials and Educational Technology division, (512) 463-9400.

Rulemaking Authority: None

Does this expressly apply to charters? No, but it is assumed the study would be applicable to all LEAs.

Does this bill contain a new reporting requirement for TEA/school districts? Yes

Does this bill require the agency or ISD to post information to their website? No

SB 715

Amends Sections 7.055(b)(18); 11.252(a); 12.1059; 12.133(b), (c), (d), and (e); 19.007(f); 19.009(d-1) and (d-2); 21.002(a); 21.003; 21.101; 21.201(1); 21.402(a) and (c-1); 21.403(a) and (c); 21.4031(a)(2) and (b); 22.051(a); 26.004; 28.0212(a); 28.026(a); 28.054(b); 29.082(e); 29.911(b); 30.024(a); 30.055(a); 30.102(b); 33.002(b) and (c); 33.005; 33.006(b); 33.007(a) and (b); 37.306(a); 38.0041(c); 51.9355(a); 56.308(b); 56.460(b); 61.806(c) and (d); 61.855(d), Education Code
Amends 503.051, Occupations Code

Effective Date: June 14, 2013

For further information, please contact: Curriculum Division, (512) 463-9581

Summary: Changes references to counselors employed by school districts to “school counselors” throughout the Education Code for consistency.

Change from current law: Current law uses a variety of terms to refer to counselors employed by school districts including counselor, high school counselor, and guidance counselor. All references will now consistently use the term school counselor.

Action required for 2013-14 School Year: None

Outstanding Issues: None

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 29-30

Amends Section 33.007, Education Code

Summary: During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during each year of a student’s enrollment in high school or at the high school level, a school counselor must provide information about postsecondary education to the student and the student’s parent or guardian. The information must include information regarding:

- (1) the importance of postsecondary education;
- (2) the advantages of earning an endorsement and a performance acknowledgment and completing the distinguished level of achievement under the foundation high school program.

Change from current law: Under current law a school counselor must provide information about higher education to the student and the student's parent or guardian during the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during a student's senior year. The information must include the advantages of completing the recommended or advanced high school program.

Effective Date: June 10, 2013; applies beginning with the 2014-2015 school year.

Action required for 2013-14 School Year: None

Outstanding Issues: Beginning in the 2014-2015 school year a school counselor must provide information about postsecondary education to the student and the student's parent or guardian during the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during each year of a student's enrollment in high school or at the high school level.

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1775

Adds Section 33.085, Education Code

Summary: The bill defines "sports official" as one who officiates, judges, or in any manner enforces contest rules in any official capacity with respect to and during the course of an interscholastic athletic team competition and who is a member of a league-recognized (UIL) local chapter or association of sports officials. The term does not include a league board member or a league official who is acting in an official capacity to supervise, administer, or enforce the league constitution or league contest rules.

Change from current law: Sports officials have independently contracted with Texas school districts to provide officiating services for UIL sporting events. This bill requires sports officials wishing to officiate such contests to be registered with the UIL. Potential officials must also have completed initial and continuing education programs regarding UIL rules; be a member in good standing of a local chapter or association of sports officials recognized

by the UIL for that purpose; and agree to abide by UIL rules, including fee schedules and travel reimbursement guidelines for payment by school districts or open-enrollment charter schools to a sports official.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The UIL must take necessary actions to implement the bill requirements.

Outstanding Issues: None

For further information, please contact:
Mike Peebles, Finance and Administration
(512)463-5917

Rulemaking Authority: University Interscholastic League

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 503

Adds new Subchapter G, Chapter 33, Education Code

Summary: The Expanded Learning Opportunities Council is established to study and make recommendations concerning expanded learning opportunities provided during an extended school day or school year or through structured programs outside of the regular school day. The composition of the council is to include members of the public, educators, representatives of law enforcement and the Texas Education Agency (TEA), and those involved with providing expanded learning opportunities.

The council must study issues, current research, and best practices related to expanded learning opportunities for public school students; to analyze the availability of and unmet needs for state and local programs for expanded learning opportunities; and to analyze opportunities to encourage support for expanded learning opportunities. The council is also required to study future workforce needs of this state.

The council is directed to develop a statewide action plan for the improvement of expanded learning opportunities, including a timeline for implementation of the plan, and to provide a written report on the status of the action plan and the recommendations that will assist communities in developing these opportunities.

Change from current law: This council is not currently authorized in statute.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The Commissioner of Education must appoint the members of the Expanded Learning Opportunities Council no later than December 31, 2013.

Outstanding Issues: The council is required to meet at least three times per year.

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 832

Amends Section 33.904, Education Code

Summary: This bill requires the Agency to maintain a list of all district liaisons appointed to facilitate enrollment and transfers for students in conservatorship of the state (foster care) and to provide training and information to the liaisons on best-practices for such facilitation. Language was added to include open-enrollment charter schools.

Change from current law: The amended law requires the agency to maintain a list of all district liaisons appointed under subsection (a); and also requires the agency to provide training and information to the liaisons on best practices for facilitating the enrollment in or transfer to a public school of children who are in the conservatorship of the state. The new law also requires that the liaison's name and contact information is submitted to TEA on a schedule determined by the commissioner. The new law amends the existing code to include charter schools.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: TEA must determine schedule and format for reporting information and develop training materials and systems for informing liaisons on best practices.

Outstanding Issues: None

For further information, please contact: Federal and State Education Policy, (512)463-9414

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes, districts and charter schools must notify TEA of their liaison's name and contact information on a format and schedule determined by the commissioner.

Does this bill require the agency or ISD to post information to their website? No

SB 1541

Amends Section 37.001(a), and adds Section 37.0022, Education Code.

Summary: The bill enables a school bus driver to remove a student to the principal's office for misconduct occurring on the school bus.

Change from current law: Currently, school buses are not specifically listed as a location code for offenses, however school districts do consider infractions on the school bus as occurring on school property and take action as such.

Effective Date: 2013-2014 School Year

Action required for 2013-14 School Year: Local school boards must update the student code of conduct to reflect this new bill.

Outstanding Issues: None

For further information, please contact:
Priscilla Flores,
Educator Leadership and Quality
(512)463-2395

Rulemaking Authority: None

Does this expressly apply to charters? Does not specifically identify charters

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1952

Adds Section 37.0181, Education Code

Summary: This bill requires that administrators complete professional development at least every three years in the area of discipline. This section states that administrators who oversee student discipline must attend professional development training in the area of this subchapter. This training should also include training relating to the distinction between a discipline management technique used at the principal's discretion under Section 37.002(a) and the discretionary authority of a teacher to remove a disruptive student under Section 37.002(b).

Professional development training under this section may be provided in coordination with regional education service centers through the use of distance learning methods, such as telecommunications networks, and using available agency resources.

Change from current law: Currently, school administrators are not mandated to attend this professional development.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Priscilla Flores,
Educator Leadership and Quality
(512)463-2395

Rulemaking Authority: None

Does this expressly apply to charters? Does not specifically identify charters

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1009

Adds Section 37.0811, Education Code

Summary: This bill allows public school districts and charter schools to appoint one school marshal per 400 students when the board of trustees or the governing body appoints such. The identity of the school marshal is confidential, except as provided by Section 1701.260(j), Occupations Code, and is not subject to request under Chapter 552, Government Code.

A school district or charter school may appoint a school marshal and allow the marshal to possess a hand gun on the physical premises of a school, but only according to guidelines adopted by the board of trustees and at the specified school.

The school marshal may not carry a hand gun if the primary duty of the school marshal involves direct contact with the students. The marshal may however, possess a handgun on the physical premises in a locked safe within the marshal's immediate reach.

Regulations must also state that the hand gun be loaded with frangible ammunition. The employee's status as a school marshal becomes inactive upon the expiration of the school marshal license, suspension or revocation of concealed hand gun license, termination of the employee's

employment, or notice from the board of trustees or governing body that the services are no longer needed.

Change from current law: Currently, school districts do not employ school marshals.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The local school board must adopt a policy in accordance with Section 37.0811 in order to employ a school marshal.

Outstanding Issues: None

For further information, please contact: Priscilla Flores,
Educator Leadership and Quality
(512)463-2395

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 1556

Adds Sections 37.1081 and 37.1082,
Education Code

Summary: This bill establishes the school safety certification program and the School Safety Task Force. The Texas School Safety Center, in consultation with the School Safety Task Force established under Section 37.1082, shall develop a school safety certification program that awards a school safety certificate to a school district that has adopted and implemented a multi-hazard emergency operations plan as required under Section 37.108 and includes additional requirements as cited in the bill. The School Safety Task Force is established to study, on an ongoing basis, best practices for school multi-hazard emergency operations planning and make recommendations to the legislature, the Texas School Safety Center, and the governor's office of homeland security. The Texas Education Agency is not included in the task force.

Change from current law: Currently, there is not a certification program or a task force.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None for the Texas Education Agency

Outstanding Issues: None

For further information, please contact:
Priscilla Flores,
Educator Leadership and Quality
(512)463-2395

Rulemaking Authority? No

Does this expressly apply to charters? Does not specifically state charters

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 939

Adds Sections 38.0042 and 51.9761, Education Code and amends Sections 38.004(a) and 38.0041(c), Education Code. Amends Section 42.0426(a-), Human Resources Code

Summary: In Section 38.004, The Agency is required to develop a policy governing the reports of child abuse or neglect in which each district and charter school employee is required to report child abuse or neglect in the manner required by Chapter 261, Family Code.

Section 38.0041, requires the agency to develop a schedule by agency rule such that all new and existing district and open-enrollment charter school employees take the training concerning prevention techniques for the recognition of sexual abuse and other maltreatment of children.

Section 38.0042, requires each public school and open-enrollment charter school to post the child abuse hotline telephone number. The commissioner may adopt rules relating to the size and location of the sign.

Change from current law: Section 38.004 adds child neglect within the policy, adds open-enrollment charter schools, and adds a requirement that the policy require every employee to report child abuse or neglect.

Section 38.0041 requires the Agency to adopt a schedule by rule for the training.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Develop a schedule for training and create/amend Commissioner Rules.

Outstanding Issues: None

For further information, please contact:
Federal and State Education Policy,
(512)463-9414

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes

Does this bill require the agency or ISD to post information to their website? No

HB 2483

Amends Subsection 38.013(a), Education Code

Summary: Coordinated school health programs made available by the agency to each school district must address oral diseases and oral health education.

Change from current law: Current law requires that the agency make available coordinated school health programs that address obesity, cardiovascular disease, and Type 2 diabetes and does not include oral diseases. Oral health education is not currently included under health education in the list of components required to be coordinated in such programs.

Effective Date: June 14 , 2013

Action required for 2013-14 School Year: The TEA will need to make available coordinated school health programs designed to prevent obesity, cardiovascular disease, oral diseases, and Type 2 diabetes.

Outstanding Issues: Once coordinated school health programs that meet the new requirements are identified, school districts and charter schools will be required to implement an approved coordinated school health program.

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 31

Amends Subsections 39.023(a-2), (b), (c), (c-3), (e), and (h) and adds Subsections 39.023(b-1), (e-1), (e-2), and (e-3), Education Code

Summary: Section 31 states that except as required by federal law, students in grades 3–8 are not required to be administered a grade-level assessment in a subject if the student is administered an above-grade level assessment in the same subject area. School districts may need to double-test certain students in order to meet federal accountability requirements.

Section 31 amends TEC, §39.023(b) and adds TEC, §39.023(b-1) to specify the redevelopment of the alternate assessments administered to the state's most significantly cognitively disabled students. The state may not require a

teacher to prepare materials for the assessment. The new alternate assessments are required to be first administered not later than the 2014–2015 school year.

Section 31 amends TEC, §39.023(c) to specify the continued development of EOC assessments in English I and II, Algebra I, U.S. history, and biology. The English I and II reading and writing assessments are required to be combined into single assessment instruments to be administered in one day. The 15% course grade requirement is repealed.

Per amended TEC, §39.023(c), the development and administration of EOC assessments in geometry, chemistry, physics, world geography, and world history has ceased. The administration of the Algebra II and English III assessments have been suspended beginning in July 2013.

Section 31 specifies the release of STAAR assessments. With amended TEC, §39.023(e), during the 2014–2015 and 2015–2016 school years, the agency shall be required to annually release all administered tests developed under TEC, §39.023 after the last time the assessments are administered for the year. These releases exclude any assessment instruments used for retesting. After the 2015–2016 test release, the State Board of Education is required to set a schedule so that all assessments developed under TEC, §39.023 are released every third year.

Before the 2014–2015 school year, by commissioner rule, the agency shall be required to release the assessment instruments using the following schedule.

- Due to added TEC, §39.023(e-1), for the 2012–2013 school year, the agency shall release an assessment after the last time the assessment is administered for the school year. The release includes the grades 3–8 assessments under TEC, §39.023(a), the EOC assessments under TEC, §39.023(c), and the Spanish grades 3–5 assessments under TEC, §39.023(l). This release excludes assessments used for retesting or tests developed under TEC, §39.023(b). TEC, §39.023(e-1) expires December 31, 2013.
- As required by added TEC, §39.023(e-2) and (e-3), for the 2013–2014 school year, the agency is required to release the assessments administered in the 2013–2014 school year after the last time the assessment is administered in the 2013–2014 school year. This release excludes those assessments used for retesting. TEC, §39.023(e-3) expires December 31, 2014.

The Algebra II and English III assessments are not subject to the release requirements of Texas Education Code.

HB 5, section 31 amends TEC, §39.023(h) to specify that assessment results need to be reported within 21 days after the test is administered. The agency notes that, for scoring purposes, the timeframe is based on when the tests are received by the test contractor from districts, not when the tests are administered. Districts are required to disclose a student's assessment results to the student's teacher for that subject.

Change from current law: Prior to HB 5, a student in grades 3-8 could not be tested with a grade-level assessment if that student took an EOC assessment in the same subject area.

Current alternate assessments require a student's teacher to prepare materials to ensure that an assessment's tasks are accessible by a student.

Prior to HB 5, TEA developed 15 EOC assessments. These assessments were required to count for 15% of a student's course grade.

Effective Date: Section 31 became effective on June 10, 2013.

The new alternate assessments are required to be first administered not later than the 2014–2015 school year

Action required for 2013–14 School Year: Per amended TEC, §39.023(c), the development and administration of EOC assessments in geometry, chemistry, physics, world geography, and world history has ceased. The administration of the Algebra II and English III assessments have been suspended beginning in July 2013.

New assessments for English I and English II that combine reading and writing will be developed. These assessments will first be administered in spring 2014.

Development of the new alternate assessments will commence.

A release schedule for the state-developed assessments will need to be determined.

Outstanding Issues: The required double-testing of certain grade 3–8 students for federal accountability will need to be communicated to districts.

New, standardized alternate assessments will need to be developed and first administered in spring 2015.

New assessments for English I and II, which combine reading and writing, will need to be developed.

For further information, please contact:
Student Assessment Division,
(512)463-9536

Rulemaking Authority: Commissioner.

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? Section 31 requires the annual release of assessments by the agency through the 2015–2016 school year.

School districts are required to disclose a student’s assessment results to the student’s teacher for that subject.

Does this bill require the agency or ISD to post information to their website? Not specifically, but the released assessments will be posted to the agency’s website.

HB 462

Adds Subsection 39.023(a-3) , Education Code

Summary: This bill specifies that the agency may not adopt or develop a criterion-referenced assessment instrument based on the common core standards. HB 462 will not affect the state-developed assessments as these assessments are aligned with the Texas Essential Knowledge and Skills curriculum standards only.

Change from current law: None

Effective Date: June 14, 2013

Action required for 2013–14 School Year: None

Outstanding Issues: None

For further information, please contact:
Student Assessment Division,
(512)463-9536

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 906

Amends Subsection 39.023(b), Education Code

Summary: SB 906 prohibits the adoption of a performance standard on a State of Texas Assessments of Academic Readiness (STAAR) Alternate assessment such that students attempting only the lowest level tasks could not pass. These students’ performance level would indicate ‘Developing Academic Performance’.

Change from current law: No such stipulations or restrictions exist in current law.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The agency will need to reevaluate the performance standards for the alternate assessment for use in 2013-2014. In addition, HB 5 also requires the redesign of the alternate assessments.

Outstanding Issues: Current performance standards for the alternate assessments will need to be reevaluated.

For further information, please contact:
Student Assessment Division,
(512)463-9536

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 866

Amends Section 39.023, Education Code

Summary: HB 866 could have a significant impact on the state's assessment system but will only take effect on any date not later than September 1, 2015, if the agency obtains any necessary waiver from federal law or regulation that conflicts with the proposed amendments to TEC §39.023 discussed below, or notification from the United States Department of Education (USDE) that such a waiver is not necessary. If the commissioner does receive a federal waiver, or notification that a waiver is unnecessary, the commissioner shall publish notice in the Texas Register after receiving the waiver or notification. The act would apply beginning with the first school year that begins after the waiver or notification is received.

The grades 3–8 assessment system defined by HB 866 would include these assessments:

Eleven required administrations (i.e., required for all students):

- reading: grades 3, 5, 8
- mathematics: grades 3, 5, 8
- writing: grades 4 and 7
- science: grades 5 and 8
- social studies: grade 8

Six contingent/optional administrations (i.e., required for students who did not achieve a high enough score on a previous grade's subject test or administered to

students in a district that chooses to administer the tests):

- reading: grades 4, 6, 7
- mathematics: grades 4, 6, 7

Added TEC, §39.023(a-3) will require the agency to establish a score that could predict, within a three-percent margin of error, whether a student will achieve satisfactory performance on the same content-area assessment in the next grade during the following school year. The minimum satisfactory adjusted scale score is required to be the sum of the scale score that indicates satisfactory performance plus the minimum number of additional points that would produce a score indicating a student will likely pass the same content-area assessment in the next grade.

HB 866 will delete TEC, §39.023(a)(6), which stipulates that the state comply with federal testing requirements, adding subsection (a-9) to provide that the commissioner would seek waivers from the USDE if exempting high-performing students from assessments in a subsequent grade or grades under the previous subsections is determined to be contrary to federal law. When applying for the federal waivers, the commissioner would be required to use all relevant data including, but not limited to, data relating to the likelihood that students who score equal to or above the minimum satisfactory adjusted scale score will score above the passing standard in subsequent years, the costs of assessing such students, and the benefits of increased emphasis on low-performing students so they can be successful after one year.

HB 866 also adds subsection TEC, §39.023 (a-8), allowing a district or charter school to test at its discretion any students not required to test by TEC, §39.023(a-4), (a-5), or (a-6) in grades 4, 6, and 7. The agency will provide and score such assessment materials in the same manner and at the same cost as it does for all required testing. Further, HB 866 prohibits any discretionary testing under TEC §39.023(a-8) to be used in the state accountability system.

HB 866 adds TEC, §39.023(a-10), which states that the provisions of proposed TEC, §39.023(a-3) through (a-9) described above and (a-10) expire on September 1, 2017. The grades 3–8 assessment program currently in place would be reinstated.

Change from current law: Currently, all students in grades 3–8 must be annually assessed in reading and mathematics.

Effective Date: HB 866 would take effect on any date not later than September 1, 2015, only if the agency obtains any necessary waiver from federal law or regulation that conflicts with the proposed amendments to TEC §39.023 discussed below, or notification from the USDE that such a waiver is not necessary.

Action required for 2013-14 School Year: The agency must apply for a waiver from the requirements of Adequate Yearly Progress.

Outstanding Issues: The agency must apply for a waiver from federal accountability requirements, since the removal of required testing in grades 4, 6, and 7 would put TEA in non-compliance of ESEA. The USDE response and the ramifications of not complying with NCLB by not testing all students in grades 4, 6, and 8 for AYP are not known at this time.

It is possible the USDE could withhold approval of the *Accountability Workbook*, suspend Title I Admin funding, Title VI funding related to test development, and possibly withhold other federal funding.

For state accountability, the removal of required assessments for all students in reading and mathematics at grades 4, 6, and 7 would mean that a student progress measure could not be reported for elementary and middle school students. This modification would nullify the use of Index 2: Student Progress in the performance index framework that has been developed for the new state accountability rating system beginning in the 2012-13 school year.

For further information, please contact:
Student Assessment, (512) 463-9536
Performance Reporting, (512) 463-9704

Rulemaking Authority: No rulemaking is anticipated unless HB 866 goes into effect.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Added TEC, §39.023(a-3), which requires the agency to establish a score that could predict, within a three percent margin of error, whether a student will achieve satisfactory performance on the same content-area assessment in the next grade during the following school year. The minimum satisfactory adjusted scale score is required to be the sum of the scale score that indicates satisfactory performance plus the minimum number of additional points that would produce a score indicating a student will likely pass the same content-area assessment in the next grade.

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 32 & 34

Amends Section 39.0232 and adds Section 39.0238, Education Code

Summary: Section 32 prohibits EOC assessments from being used in determining class rank for any purpose including automatic admission to a Texas college or as a sole criterion for admittance to a Texas teaching institution.

Section 34 specifies, effective September 1, 2015, the Algebra II and English III assessments will continue to be developed by the agency but will be district-optional assessments administered in the second full week of May or thereafter. These assessments will not be administered again until spring 2016.

Per TEC, §39.0238(d), The agency must adopt a policy requiring the participating school districts to administer the Algebra II and English III assessments to all students enrolled in those courses. The participating districts must report the results to the agency.

The Algebra II and English III assessments must be validated by postsecondary readiness experts for college readiness. The assessments can be used only for diagnostic purposes and cannot be used for teacher evaluations, graduation purposes, determining course grade or class rank, college admissions, or a Texas college grant. New TEC, §39.0238 also prohibits districts from administering any kind of benchmark assessment related to these assessments. The agency will be required to acknowledge districts that elect to administer the Algebra II and English III assessments.

Per scoring and reporting of the Algebra II and English III assessments, because of the mid-May or later administration of the assessments, it is assumed that scoring and reporting for the two assessments will not occur until the summer.

Section 34 requires the agency to deliver an annual report to the governor and legislature detailing the preceding year's results and findings on the Algebra II and English III assessments. The first report is due in 2016.

Change from current law: All students enrolled in Algebra II or English III are required to take the corresponding assessments. Students on the recommended or distinguished high school programs are required to achieve a certain score on the Algebra II and English III assessments to receive a Texas diploma.

Effective Date: June 10, 2013

Action required for 2013–14 School Year: The Algebra II and English III test administrations have been suspended beginning with the July 2013 administration.

Commissioner rules related to EOC testing and assessment graduation requirements will be amended.

Outstanding Issues: Though agency or THECB rules may be needed to further clarify amended TEC, §39.0232, assessment rulemaking related to this section is not anticipated at this time.

Per new TEC, 39.0238 in section 34, the agency may need to stipulate in rule that the Algebra II and English III assessments will be district-optional and can be used only for diagnostic purposes, not for teacher evaluations, graduation purposes, determining course grade or class rank, college admissions, or a Texas college grant. A rule may be needed specifying that participating districts must test all students enrolled in those courses.

For further information, please contact:
Student Assessment Division,
(512)463-9536

Rulemaking Authority: Commissioner.

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Section 34 requires the agency to deliver an annual report to the governor and legislature detailing the preceding year's results and findings on the Algebra II and English III assessments.

Does this bill require the agency or ISD to post information to their website? Yes.

HB 5, Section 78

Repeals Subsections 39.024(b) - (h), 39.0241(a-2), Section 39.0242, and Subsections 39.025(a-2) and (a-3), Education Code

Summary: Section 78 repeals TEC, 39.024(b) - (h).

- Subsection (b) required TEA, in conjunction with THECB, to ensure that Algebra II and English III are designed to measure college readiness. Pursuant to new TEC, 39.0238, the Algebra II and English III assessments will be validated by postsecondary readiness experts for college readiness.
- Subsection (c) and (d) required the agency and THECB to determine a correlation between a certain score on the Algebra II and English III assessments and college readiness.
- Subsection (f) required TEA and THECB to conduct similar college readiness studies for science and social studies.
- Subsection (g) required TEA and THECB to conduct the above studies at least once every three years.

- Subsection (h) required TEA and THECB to periodically review the college readiness standards.

Section 78 repeals TEC, 39.0241(a-2) and TEC, 39.0242

- Subsection (a-2) required the vertical linking of mathematics and reading from grades 3 to Algebra II and English III.
- TEC, 39.0242 required the agency to conduct various studies to vertically link mathematics and reading. This section also required the agency to continue to collect data and conduct a study at least once every three years on the performance standards.

Section 78 repeals TEC, 39.025(a-2) and (a-3) removing Algebra II and English III performance requirements to receive a Texas diploma on the recommended and distinguished programs.

Change from current law:

Effective Date: June 10, 2013

Action required for 2013–14 School Year: None

Outstanding Issues: None

For further information, please contact:
Student Assessment Division,
(512)463-9536

Rulemaking Authority: None

Does this expressly apply to charters?

Does this bill contain a new reporting requirement for TEA/school districts? No Section 78 does remove certain reporting requirements.

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 35 & 36

Amends Subsections 39.025(a), (a-1), (b), and (b-2) and adds Subsection 39.025(a-4), Education Code

Summary: Beginning with the 2013–2014 school year, and first applying to students entering grade 9 in the 2011–2012 school year or thereafter, HB 5 modifies the state’s assessment graduation requirements so that a student needs to take and pass only the English I, English II, Algebra I, U.S. history, and biology EOC assessments. The cumulative score requirement is repealed.

Beginning in the 2014–2015 school year, the current high school program designations will be replaced with a single foundation high school program with endorsements. Per new TEC, §28.025(h) in section 16 of HB 5, this act applies to students who first entered grade 9 in the 2014–2015 school year or thereafter. By rule, the commissioner is required to adopt a transition plan to implement the

foundation program. Under the transition plan, students entering the 9th grade prior to the 2014–2015 school year have the option of either fulfilling the new foundation program requirements to graduate, or fulfilling the minimum, recommended, or distinguished high school program requirements as they existed before the implementation of HB 5 if the student was already participating in one of those high school programs.

In regard to the students who would choose to graduate on the minimum, recommended, or distinguished high school programs as they existed prior to 2013-2014, section 79 of HB 5 specifies that the amended assessment graduation requirements apply beginning with students first enrolled in grade 9 in 2011-2012 or 2012-2013. Accordingly, the assessment graduation requirements for these students will be modified to remove the cumulative score and the stipulation that students on recommended and distinguished high school programs must be administered all 15 EOC assessments.

Per section 79 of the bill, for a student entering grade 9 before the 2013-2014 school who is on the minimum, recommended, or distinguished high school program, if that student chooses to graduate on his or her high school plan instead of the foundation program, the student is only required to take and pass an existing EOC assessment for a course in which the student was enrolled.

Section 35 also amends TEC, §39.025(a) to require the agency to establish a procedural method so that the scale score on the five EOC assessments developed under TEC, §39.023(c) can be converted to a scale of 0–100. The conversion table will be implemented in commissioner rule.

Amended TEC, §39.025(a-1) stipulates that the commissioner shall, by rule, implement a method where an advanced placement test, international baccalaureate test, SAT subject test, the SAT or ACT, or any other nationally recognized norm-referenced test used by a university or college to award course credit, PLAN, or PSAT may be used to satisfy the EOC assessment requirements for graduation in an equivalent course. Amended TEC, §39.025(a-1) further specifies that a student failing to perform satisfactorily on a substitute assessment, other than PSAT or PLAN, may retake that test or a state-developed EOC assessment for purposes of graduation. A student failing to perform satisfactorily on a PSAT or PLAN would be required to take the state-developed assessment.

Amended TEC, §39.025(a-1) also stipulates that a student enrolled in a college preparatory course who satisfies the Texas Success Initiative requirements including the college readiness benchmarks under TEC, §51.3062(f) on a THECB-designated assessment at the end of the college preparatory course satisfies the EOC assessment requirements in an equivalent course.

As specified with amended TEC, §28.014 in section 10 of HB 5, college preparatory courses will only be designed for mathematics and English language arts (ELA). Each school district will partner with at least one institution of higher education to develop and provide courses for college preparatory mathematics and ELA. These courses are for 12th grade students who do not meet the college-readiness standards on an EOC assessment, or whose coursework, college entrance exam, or TSI assessment score indicates the student is not ready for entry-level college coursework. Section 10 of HB 5 applies beginning with the 2013–2014 school year.

Per section 80 of HB 5, the commissioner must adopt rules by October 1, 2013 to implement TEC, §39.025(a-1).

For retesting, amended TEC, §39.025(b) would only allow a student to retake the EOC assessment during the next administration if he/she failed to achieve satisfactory performance on an assessment.

HB 5, section 35, adds TEC, 39.025(a-4) which states that a special education student's admission, review, and dismissal (ARD) committee will determine whether a student needs to pass an EOC assessment to receive a Texas diploma. Though added TEC, §39.025(a-4) does not change current law, the amendment clarifies the responsibility of a student's ARD committee.

Section 36 makes conforming changes to TEC, §39.025 to account for the new foundation high school program. Section 36 becomes effective with the 2014–2015 school year.

Change from current law: Students must currently meet the assessment graduation requirements of the minimum, recommended, or distinguished high school program in order to receive a Texas diploma. All students must meet the cumulative score requirements in each of the four content areas. Students on the recommended and distinguished high school plans must meet the assessment score requirements in Algebra II and English III.

Effective Date: June 10, 2013

Action required for 2013–14 School Year:

Outstanding Issues: The agency needs to determine if the cumulative score for English I and English II will be used in some fashion for two cohorts of students during the transition period. If the cumulative score is used in some capacity, the agency will determine how the minimum score shall apply.

The agency must determine whether a student who failed or did not take one of the five required EOC assessments, but passed a discontinued or suspended EOC assessment in the same content area, must still pass the required assessment or if a student's passing score on a discontinued assessment in the same content area can be used for graduation purposes.

The agency must determine if a student who previously received credit for a course for which there is an EOC assessment required for graduation is required to take that assessment to receive a Texas diploma.

Amended TEC, §39.025(a-1) specifies that the commissioner must implement a method so that a nationally recognized norm-referenced test used by a university or college to award course credit can be used as a substitute, including SAT subject tests. The agency will need to determine the subject-area assessments to be used as substitutes.

For the use of college preparatory courses and the TSI assessment as an EOC assessment substitute, it is unclear to which EOC assessments this would apply. Per amended TEC, §28.014, college preparatory courses are intended for 12th graders who fail to meet the college-readiness standard on an EOC assessment, or who exhibit through other indicators that they are not ready for entry-level college courses. It is unclear if a student can substitute a college preparatory course for the English I or II EOC assessment if the student has not passed the English I or II EOC assessment but completes a college preparatory course and passes the TSI assessment in his/her senior year.

For further information, please contact:
Student Assessment Division,
(512)463-9536

Rulemaking Authority: Commissioner.

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? Yes.

Does this bill require the agency or ISD to post information to their website? Yes. The agency must post the conversion tables so a score on an EOC assessment may be converted to a scale of 0–100.

HB 5, Section 37

Adds Section 39.0263, Education Code

Summary: Section 37 limits benchmark testing to no more than two administrations per state assessment. This section does not apply to administrations of PSAT, PLAN, SAT, ACT, AP, IB, or a classroom exam designed by a teacher. A parent or guardian of a student with special needs may request the administration of additional benchmark tests. Benchmark assessments cannot be administered for the Algebra II and English III district-optional assessments.

Pursuant to TEC, §39.0263(d), a parent or guardian of a student with special needs, as determined in accordance with commissioner rule, may request the administration of additional benchmark assessments

Change from current law: Currently, a district may not devote more than 10% of class time to assessments or preparation for assessments.

Effective Date: June 10, 2013

Action required for 2013–14 School Year:

Outstanding Issues: None

For further information, please contact:
Student Assessment Division,
(512)463-9536

Rulemaking Authority: Commissioner.

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 377

HB 5, Section 38

Adds Subsection 39.027(a-2), Education Code

Summary: This legislation requires that an English language learner be enrolled for 60 consecutive days in a school year for that school year to count as one year in the calculation of years in U.S. schools. It is assumed that “during a year” refers to a school year, not a calendar year. This section does not apply to the asylee/refugee exemption of TEC, 39.027(a-1).

Per section 81 of HB 5, TEC, §39.027(a-2) applies to a student regardless of the date in which the student initially enrolls in a U.S. school.

Change from current law: Current law does not specify the necessary number of enrolled days in school to qualify as being enrolled for a school year.

SB 377 Effective Date: June 14, 2013
HB 5 Effective Date: June 10, 2013

Action required for 2013-14 School Year: Commissioner rulemaking may be necessary to clarify how to define years in U.S. schools.

Outstanding Issues: Current commissioner rules related to assessment requirements may need to be amended to clarify the 60-day requirement for years-in-U.S.-schools calculation.

Policy Impact

Current state statute does not prohibit TEA from using assessment results of LEP students in determining state accountability ratings. However, Texas Administrative Code 101.1005(h) states that policies for including the academic performance of English Language Learners (ELLs) in state and federal accountability measures take into account the second language acquisition developmental needs of this student population.

The new state accountability system will be implemented for the first time on August 8, 2013. Agency staff worked with statewide accountability advisory committees to develop proposals for the new system as required by House Bill (HB) 3 (81st Texas Legislature, 2009). A significant component of the development process for the state accountability system is the appropriate inclusion of test results for ELL students. A workgroup comprised of members of the Accountability Technical Advisory Committee (ATAC) developed ELL indicators for the performance index framework that will meet the requirements of TAC 101.1005(h). The planned use of the ELL Progress Measure beginning in 2014 sets challenging but achievable goals to meet grade-level academic content standards for ELL students in accordance with a timeline based on years in U.S. schools.

For further information, please contact:
Student Assessment,
(512) 463-9536
Performance Reporting,
(512) 463-9704

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 39

Adds Subsection 39.0301(a-1), Education Code

Summary: Section 39 states that in establishing test administration procedures, the commissioner and school districts will ensure that the procedures are designed to minimize disruptions to school operations and the classroom environment.

Change from current law: No such stipulation was previously specified.

Effective Date: June 10, 2013

Action required for 2013–14 School Year: The agency must examine its test administration procedures and update its training materials and test manuals accordingly.

Outstanding Issues: None

For further information, please contact: Student Assessment Division,
(512)463-9536

Rulemaking Authority: Commissioner.

Does this expressly apply to charters? No The provisions of TEC, §39.0301(a-1) apply to the agency.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 123

Amends Subsections 39.0302(a) and 39.057(a), Education Code

Summary: The bill authorizes a special investigation in response to a complaint regarding alleged inaccurate data reported through PEIMS or other reports required by state or federal law, rule, or court order that is used by the agency for accountability purposes, including accreditation. The bill also authorizes the commissioner to issue a subpoena for purposes of the investigation to compel the attendance of relevant witnesses and the production of relevant evidence located in this state.

Change from current law: Broadens the authority of the commissioner to investigate allegations of inaccurate data reported through PEIMS or other required reports used by the agency for accountability purposes.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Legal Services, (512)463-9720;
Accreditation and School Improvement:
(512)463-5899

Rulemaking Authority: None

Does this expressly apply to charters? Yes, pursuant to § 12.104(b)(2)(L).

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 40-41

Adds Sections 39.038 and 39.039, Education Code

Summary: Section 40 states that a person or entity who is reimbursed, retained, or employed by any assessment-instrument vendor may not participate in a formal or informal advisory committee established by the commissioner or agency that pertains to accountability or the administration or content of an assessment instrument. Per section 82 of HB 5, on September 1, 2013, if a person who is compensated by the agency's test vendor is still appointed to an applicable agency committee, that person's seat on the committee becomes vacant.

Section 41 adds TEC, §39.039. As it relates to assessment, TEC, §39.039(b) stipulates that a person who is an agent of an entity who is contracted to develop an assessment as required under current TEC, §39.023 commits a Class B misdemeanor offense if the person participates in a formal or informal advisory committee established by the agency or State Board of Education regarding policies or implementation of the provisions of TEC, Chapter 39, Subchapter B.

As is pertains to assessment, TEC, §39.038 will require the agency, not the vendor, to handle all aspects of the agency's assessment advisory committees convened on September 1, 2013 or thereafter.

The agency's assessment advisory committees currently have some participants who are contracted for various consultation services by other test vendors such as, but not limited to, the College Board and ACT. As of September 1, 2013, these members will no longer be able to serve on any agency-appointed committee. As a result, the agency will need to fill various committee positions with assessment experts who are not affiliated with any test vendor.

The agency may need to develop procedures related to reimbursement and composition of assessment advisory committees to ensure that the people who are compensated by the state's assessment contractor are not in violation of TEC, §39.039.

Change from current law: No such stipulations or restrictions exist in current law.

Effective Date: June 10, 2013

Action required for 2013–14 School Year: The agency may need to develop procedures related to reimbursement and composition of assessment advisory committees to ensure that the people who are compensated by the state's assessment contractor are not in violation of TEC, §39.039.

Outstanding Issues: The agency must identify assessment experts who are not affiliated with any test vendors.

For further information, please contact:
Student Assessment Division,
(512)463-9536

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 42 & 43

Amends Section 39.053, Education Code

Summary: This bill establishes the performance indicators of student achievement, defines Required Improvement, and limits the definition of a dropout.

Change from current law: The following new indicators are added to 39.053(c):

- The percentage of students who completed the distinguished level of achievement for the foundation high school program.
- The percentage of students who received an endorsement for the foundation high school program.
- At least three additional indicators which must include either the:
 - percentage of students who satisfy the Texas Success Initiative (TSI) college readiness benchmarks prescribed and designated by the Texas Higher Education Coordinating Board in reading, writing, or mathematics; or

- number of students who earn:
 - at least 12 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);
 - at least 30 hours of postsecondary credit required for the foundation high school program under Section 28.025 or to earn an endorsement under Section 28.025(c-1);
 - an associate's degree; or
 - an industry certification.

Indicators that measure improvement cannot negatively affect districts and campuses that are already achieving the highest level for that indicator under 39.053(c-1).

Under 39.053(c-2), the performance of students that satisfy the TSI college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section 51.3062(f) on an assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.3062(c) or perform satisfactorily on an assessment instrument under Section 39.023(c), notwithstanding Subsection (d), may be included in determining district and campus performance ratings.

The requirement for a performance indicator that measures the percentage of students graduating under the recommended or advanced high school program is removed from 39.053(f).

The definition of students excluded from dropout and completion rates is clarified to include students who drop out, reenroll, then drop out again, regardless of the number of times of reenrollment and dropping out under 39.053(g-1). This clarification makes no change to how students are excluded under 39.053(g-1).

Effective Date: 2013-14 school year for 39.053(c); 2014-15 school year for 39.053(f)

Action required for 2013-14 School Year: collection of new data elements through PEIMS or from other external sources such as the Higher Education Coordinating Board

Outstanding Issues: implementation of endorsements under 28.025(c-1)

For further information, please contact: Performance Reporting (512)463-9704
Curriculum (512)463-9581

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Possibly

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 44

Amends Section 39.054, Education Code

Summary: Section 44 requires that districts and campuses be assigned a performance rating of either acceptable performance or unacceptable performance based on the performance indicators.

Change from current law: Requires district performance ratings of A, B, C, D, or F where A, B, or C reflects acceptable performance and D or F reflects unacceptable performance. Requires campus performance ratings of exemplary, recognized, acceptable, or unacceptable where exemplary, recognized, or acceptable reflects acceptable performance and unacceptable reflects unacceptable performance. Districts may not receive a rating of A if any campus is rated unacceptable.

Effective Date: 2016-17 school year/2017 accountability ratings

Action required for 2013-14 School Year: none

Outstanding Issues: TEA will convene accountability advisory groups in fall 2013 to develop recommendations for the accountability rating labels to be assigned in the 2014 – 2016 accountability cycles.

For further information, please contact:
Performance Reporting (512)463-9704

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 1538

Adds Section 39.0545, Education Code

Summary: This bill provides the evaluation of the performance of public schools designated as Dropout Recovery Schools (DRS) and corresponding evaluation criteria.

Change from current law: SB 1538 defines a dropout recovery school as a district, charter school, or campus that serves students in grades 9-12 and have an enrollment of at least 50% of students, who are 17 years or older as of September 1 of the school year as reported on current-year fall PEIMS data, meets eligibility requirements, and is registered for evaluation under alternative education accountability (AEA) provisions.

This bill requires the use of the alternative Completion Rate (graduates, continuing students, and General Educational Development (GED) recipients) to determine the student achievement indicator for the DRS for state accountability ratings. The alternative completion rate is the ratio of total number of students who graduate, continue school in the next academic year, or receive a GED to the total number of students in the longitudinal cohort of students. The bill requires graduates and GED recipients who are excluded by TEC 39.053(g-1) to be included in dropout and completion rates used to evaluate dropout recovery schools.

Only the best result from the primary administration and any retest results are included.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Beginning with the 2013-14 school year.

Outstanding Issues: A new state accountability system will be implemented for the first time on August 8, 2013. Agency staff has worked with statewide accountability advisory committees since March 2012, to develop proposals for the new system as required by House Bill (HB) 3 (81st Texas Legislature, 2009).

The design of the accountability system is a performance index. With a performance index, each measure contributes points to an index score. Districts and campuses are required to meet one accountability target, a total index score. The resulting rating reflects overall performance for the district or campus rather than the weakest performance of one student group or subject area. Since performance on all measures is included, no single indicator can be the sole reason for a lower rating.

The new accountability system includes provisions for alternative education campuses (that would include dropout recovery schools and residential facilities) to address issues of serving high populations of older students, which often are students at risk of dropping out of school. In recognition of the unique student population, the performance index targets on all four indexes that are required for alternative education campuses will be lower than the targets for other campuses and districts. For Index 4: Postsecondary Readiness, this index will evaluate alternative education campuses on four-, five-, or six-year graduation and GED rates in 2013 and beyond. Also, Graduation and GED Score will contribute 75 percent of

the points to Index 4 and STAAR Score (Percent Met final Level II on One or More Tests) will contribute 25 percent of the points. (For regular campuses STAAR Score and Graduation Score contribute equally to Index 4.)

In addition, three additional provisions, described below, will give additional credit to alternative education campuses in the Index 4 calculation. Bonus points will be added to the final Index 4 score for the following indicators, to a maximum of 50 points.

- Recommended High School Program/Distinguished Achievement (Advanced) High School Program (RHSP/DAP) rates (rather than averaging the rates into the Graduation and GED Score).
- Continuing Students Success Rates will give AEA campuses and districts bonus points for continuing students who graduate or receive a GED in their fifth or sixth year.
- Excluded Students Credit will give AEA campuses and districts bonus points for serving recovered dropouts and other students who are statutorily excluded from the graduation rate and dropout rate calculations for those students who graduate or earn a GED.

While many of the provisions of SB 1538 are already incorporated in the AEA provisions that will be applied in 2013, TEA will convene accountability advisory groups in fall 2013 to determine whether additional modifications are needed to implement this bill for 2014 and beyond.

For further information, please contact:
Research and Analysis, (512) 475-3523
Performance Reporting, (512) 463-9704

Rulemaking Authority: Commissioner is allowed to adopt AEA procedures including alternative indicators.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 46

Adds Section 39.0545, Education Code

Summary: Section 46 requires districts to evaluate and assign a rating for district and campus performance in community and student engagement.

Change from current law: This statute requires districts to self-evaluate and assign to the district and each campus a performance rating of exemplary, recognized,

acceptable, and unacceptable for performance in community and student engagement. By August 8, districts must report each rating to TEA and the public.

Effective Date: 2013-14 school year

Action required for 2013-14 School Year: implement commissioner rule to outline public availability of district and campus performance ratings under 39.0545.

Outstanding Issues: TEA will need to develop an online data collection system that will allow districts to upload their locally-determined performance ratings in nine possible categories for each campus in the district.

For further information, please contact: Performance Reporting (512)463-9704

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes

Does this bill require the agency or ISD to post information to their website? Yes

SB 306

Amends Section 39.055, Education Code

Summary: This bill would exclude consideration of a student receiving treatment in a residential facility for public school accountability ratings.

Change from current law: Currently, under TEC 39.055, TEA excludes students, who are court-ordered into residential facilities and Texas Juvenile Justice Department facilities, from results used to evaluate campuses and districts for state accountability ratings. Under SB 306, students whose placement in a residential facility is not court-ordered, are also excluded from results used to evaluate districts and campuses for state accountability ratings.

Effective Date: 2013-14 School Year

Action required for 2013-14 School Year: Exclude students whose placement in a residential facility is not court-ordered, from results used to evaluate districts and campuses for state accountability ratings.

Outstanding Issues: This exclusion of non court-ordered students will increase the number of campuses and charter operators that will not receive a state accountability rating. In the 2010-11 school year, 92 campuses were identified as Residential Facilities under Alternative Education Accountability (AEA) procedures.

These campuses will likely not be rated in the future under the new provisions of this bill. In 2011, a total of 644 campuses were not rated for state accountability, 22 were AEA campuses. So, the number of AEA campuses not evaluated in the new rating system will increase from 22 to approximately 114.

In 2011, approximately 10 charter districts operated 100% Residential Facilities. Therefore, these charters will also likely not be rated under SB 306.

For further information, please contact:
Research and Analysis, (512) 475-3523
Performance Reporting (512) 463-9704

Rulemaking Authority: None

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Sections 49-52 & 78

Section 49 amends Sections 39.082, 39.0923, and 39.083; and adds 39.0824, Education Code

Section 78 repeals Section 39.0822, and Sections 39.0823(b) and (c)

Effective Date: Sections 49–52 apply beginning with the 2014–2015 school year.

Sections 39.0822 and 39.0823(b) and (c) are repealed effective September 1, 2014.

Summary:

The bill combines the School and Charter Financial Integrity Rating System of Texas (FIRST) and financial solvency system into a single financial accountability rating system for school districts and open-enrollment charter schools.

Change from Current Law:

The bill provides for a single financial accountability rating system that includes consideration of a district's financial solvency in assigning the district's rating. Ratings are determined by performance on indicators assigned specific point values, and the commissioner must evaluate the indicators at least once every three years. A school district or open-enrollment charter school assigned the lowest rating must submit a corrective action plan; failure to submit or implement the plan can lead to sanctions. The financial accountability ratings must be published by August 8 of each year.

Action Required for 2013–14 School Year:

Development of the rules to establish financial accountability indicators and point values must be started in the 2013–2014 school year for these new rules to be adopted by March 1, 2015, as required by Section 49 of the bill.

Outstanding Issues: Changes to the *Financial Accountability System Resource Guide* and the Public Education Information Management System will be required to provide guidance and requirements for budgeting and reporting accelerated instruction funding and expenditures.

New processes will need to be developed to decrease the time required to assign financial accountability ratings so that ratings can be published by August 8 each year.

For further information, please contact:
Belinda Dyer
Phone: 475-3451
Email: belinda.dyer@tea.state.tx.us

Rulemaking Authority: Commissioner

Does this expressly apply to charter schools? Yes.

Does this bill contain a new reporting requirement for TEA or school districts? Yes, school districts are required to report accelerated instruction funding.

Does this bill require the agency or ISD to post information to its website? The agency must publish financial accountability ratings by August 8 each year.

SB 119

Adds Section 39.117, Education Code

Summary: This bill requires a special student recovery program for a district with a student enrollment of at least 60,000 that is located in a county on the international border with a population of 800,000 or more. Certain conditions must be met for the commissioner to require the program.

Change from current law: New Program

Effective Date: June 14, 2013

Action required for 2013-14 School Year: TEA must determine eligible districts, and if the program is required. TEA must also determine what divisions, such as Performance Based Monitoring, need to be involved to implement the requirements.

Outstanding Issues: None

For further information, please contact:
Federal and State Education Policy,
(512)463-9414

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 2, Section 43

Amends Section 39.152, Education Code

Summary: Section 43 requires that any challenge to a decision by the commissioner to close a district, district campus or charter school or pursue alternative management must be brought in accordance with procedural rules promulgated by the commissioner. Such a challenge to the decision shall be under the substantial evidence rule. SOAH shall conduct an expedited review of the challenge which shall be final and may not be appealed. The decision of the SOAH judge may set an effective date for action under this section.

Change from current law: Yes

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Procedural rules need to be adopted.

Outstanding Issues: None

For further information, please contact:
Charter School Administration,
(512)463-9575

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Sections 53-55

Amends Sections 39.201, 39.202, and 39.203, Education Code

Summary: Section 53 requires district and campus distinction designations for outstanding performance in postsecondary readiness. Section 54 outlines the district and campus distinction designation indicators. Section 55 requires campus a distinction designations and outlines the indicators.

Change from current law: 39.201 clarifies that distinction designations will be awarded in connection with performance ratings (by August 8), but does not change the current process. 39.202 is expanded to include the following indicators – percentages of students: earning business/industry certification/license, completing a coherent sequence of career and technical courses, completing dual credit courses or articulated postsecondary courses, achieving College Readiness Benchmarks or equivalent on the PSAT, SAT, ACT or ACT-Plan, and receiving college credit on an AP or IB exam. Also, the “Exemplary” and “Recognized” distinction designation labels are removed. 39.203 is limited to

academic achievement in English language arts, mathematics, science, and social studies. Distinction designations assigned by TEA in fine arts, physical education, 21st Century Workforce Development program, and second language acquisition are removed.

Effective Date: 2013-14 school year;
2014 accountability ratings

Action required for 2013-14 School Year: Development of new indicators under 39.202

Outstanding Issues: Development of an implementation plan for the collection of several new distinction designation indicators under 39.202 (2).

For further information, please contact:
Performance Reporting (512)463-9704

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes

HB 5, Section 57

Amends Section 39.301, Education Code

Summary: Section 57 identifies indicators of performance that are in addition to the indicators used for determining performance ratings.

Change from current law: Reporting requirements are modified to replace the Recommended High School Program and Distinguished Achievement Program (RHSP/DAP) indicators with new indicators for the foundation high school program and endorsements.

Effective Date: 2014-15 school year

Action required for 2013-14 School Year: planning for collection of endorsement data

Outstanding Issues: collection of endorsement data

For further information, please contact:
Performance Reporting (512)463-9704
Curriculum (512)463-9581

Rulemaking Authority: Commissioner

Does this expressly apply to charters? yes

Does this bill contain a new reporting requirement for TEA/school districts? yes

Does this bill require the agency or ISD to post information to their website? yes

HB 5, Section 58

Adds Section 39.309, Education Code

Summary: TEA must develop and maintain a separate website known as the "Texas School Accountability Dashboard" for the public to access district and campus accountability information.

Change from current law: The new accountability dashboard must include a performance index in the four areas of student achievement, student progress, closing performance gaps, and postsecondary readiness. The dashboard must include district and campus performance index information; the capability to compare districts and campuses; and a comparison of district enrollment for students with limited English proficiency, unschooled asylees/refugees, educationally disadvantaged students, and students with disabilities. The dashboard must include a comparison of district and campus performance information disaggregated by race/ethnicity, special education, bilingual education, and special language programs. A comparison of performance information by subject area is also required.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: planning/design/development of the new accountability dashboard.

Outstanding Issues: Planning for design, development, security, posting, and maintenance of this new website.

For further information, please contact: Performance Reporting (512)463-9704

Rulemaking Authority: Commissioner

Does this expressly apply to charters? yes

Does this bill contain a new reporting requirement for TEA/school districts? yes

Does this bill require the agency or ISD to post information to their website? yes

SB 59, Sections 6-10

Amends Sections 32.157(a), 39.027(e), 39.332, 39.333, Education Code

Summary: Section 9 amends language to require that the comprehensive annual report on Texas public schools be produced each even-numbered year. Sections 6, 7, and 8 amend references to the comprehensive annual report to refer to the comprehensive biennial report. Section 10 adds the Regional and District Level Report to the comprehensive biennial report.

Change from current law: The comprehensive annual report on Texas public schools was required to be published annually. This legislation requires that the report be produced each even-numbered year starting in 2014 and adds the Regional and District Report, an independent publication, to the report.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: Staff from across the agency contribute to the comprehensive annual report. Due to staff reductions that took effect last biennium, a management decision was made to not fulfill this requirement in 2011 and 2012.

For further information, please contact: Research and Analysis, (512) 475-3523

Rulemaking Authority: None

Does this expressly apply to charters? Not Applicable

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 60

Adds Section 39.363, Education Code

Summary: By October 1 each year, TEA must publish on the agency's website district and campus performance ratings, district and campus distinction designations, district and campus ratings assigned by the district under 39.0545, and district and campus financial accountability ratings.

Change from current law: 39.363 requires that TEA publish the ratings assigned and published locally by districts under 39.0545. District and campus performance ratings, distinction designations, and financial ratings are already published on the agency's website.

Effective Date: 2013-14 school year; 2014 accountability ratings

Action required for 2013-14 School Year: planning for public availability of district and campus performance ratings under 39.0545.

Outstanding Issues: TEA will need to develop an online data collection system that will allow districts to upload their locally-determined performance ratings in nine possible categories for each campus in the district.

For further information, please contact:
Performance Reporting (512)463-9704
School Finance (512) 475-3451

Rulemaking Authority: Commissioner

Does this expressly apply to charters? yes

Does this bill contain a new reporting requirement for TEA/school districts? yes

Does this bill require the agency or ISD to post information to their website? yes

SB 1658

Amends Section 41.0041, Education Code

Section 3 of the bill amends Section 57.32, Chapter 4 (S.B. 1); Acts of the 82nd Legislature, 1st Called Session, 2011 is amended by striking the repeal of Section 41.0041 in 2017.

Summary: The bill allows districts subject to the provisions of Chapter 41 to net recapture costs against state aid owed to the district under Chapter 42 (rather than only against state aid owed through additional state aid for tax reduction).

Change from current law: A school district that is subject to the provisions of Chapter 41 for a certain school year may net its recapture payments against its Chapter 42 state aid entitlement for that school year, rather than against Additional State Aid for Tax Reduction (ASATR).

If the amount of recapture a district owes for a school year exceeds its Chapter 42 state aid for the year, the commissioner is required to withhold all of the district's Chapter 42 state aid for the school year and an amount from the district's state aid for the next year equal to the amount of recapture still owed or add the difference to the cost of attendance credits that the district may purchase in the subsequent year.

Effective Date: September 1, 2013.

Action required for 2013-14 School Year:

Outstanding Issues:

For further information, please contact:
Amanda Brownson
Phone: (512) 463-0986
Email: Amanda.Brownson@tea.state.tx.us

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1264

Adds Subsection 42.006 (a-1), Education Code

Effective Date: June 14, 2013

For further information, please contact: Bryce Templeton,
PEIMS Customer Support,
(512) 463-9229 or
Curriculum Division, 512-463-9581

Summary: The bill provides for a requirement that the Texas Education Agency collect data through the PEIMS system on students who have been identified as having Dyslexia.

Change from current law: This information is not currently collected

Action required for 2013-14 School Year: TEA must add this new data to the Legacy and TSDS PEIMS data collection systems.

Outstanding Issues: None

Rulemaking Authority: Commissioner

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. School districts and charter schools must report to TEA the students who have been identified as having Dyslexia.

Does this bill require the agency or ISD to post information to their website? No

SB 758

Section 1 amends Section 42.259, by amending subsections (c) and (d) and adding subsections (c-1) and (d-1), Education Code.

Section 2 amends Section 466.355, Government Code by amending subsection (c).

Summary: The bill amends the statutory schedule of payments to school districts through the Foundation School Program (FSP) to reverse the deferral of the payment of the final installment of a school district's entitlement in a given fiscal year to the following September.

Change from current law: Subsection(c) of Section 42.259 of the Education Code is amended to require that 15 percent of the yearly FSP entitlement for districts in payment category 2 be paid on or before the 25th day of August (rather than between the 5th and 10th day of September of the calendar year following the calendar year of the first payment made for the fiscal year). Subsection (c-1) is added to require that for the fiscal year ending August 31, 2013, the payment shall be paid on or before the 30th day of August, 2013. Subsection (d) is amended to require that 20 percent of the yearly FSP entitlement for districts in payment category 3 be paid on or before the 25th day of August (rather than between the 5th and 10th day of September of the calendar year following the calendar year of the first payment made for

the fiscal year). Subsection (d-1) is added to require that for the fiscal year ending August 31, 2013, the payment shall be paid on or before the 30th day of August, 2013.

Section 466.355(c) of the Government Code is amended to require the comptroller to transfer necessary funds to the foundation school fund before August installment payments are made.

Effective Date: June 14, 2013

Action required for 2013-14 School Year:

Outstanding Issues:

For further information, please contact:
Amanda Brownson, State Funding
Phone: (512) 463-0986
Email: Amanda.Brownson@tea.state.tx.us

Rulemaking Authority: None

Does this expressly apply to charters? Not expressly, but the change in payment schedule will impact charter schools.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 885

Amends Sections 12.135(b), 45.052(a) and adds Subsection 45.0532(a-1), Education Code

Summary: This bill specifically authorizes an open-enrollment charter school (OECS) to apply to have refunded and refinanced bonds guaranteed by the PSF and permits the commissioner to extend the bond guarantee to OECS refunded and refinanced bonds.

Change from current law: This bill relates to the guarantee of refinanced (OECS) bonds by the Permanent School Fund (PSF).

Section 1 of the bill would amend Section 12.135(b), Education Code, to permit charter schools to apply to have refunding and refinancing bonds guaranteed by the Bond Guarantee Program (BGP).

Section 2 of the bill would amend Section 45.052(a), Education Code, to authorize the commissioner to extend the bond guarantee for refinanced bonds.

Section 3 of the bill would amend Section 45.0532, Education Code, to limit the total amount of OECS refunding or refinanced bonds guaranteed to a maximum of one-half of the total amount available for the guarantee of charter school bonds.

These provisions would apply only to bonds that were issued, refunded, or refinanced on or after the effective date of the bill. Bonds issued, refunded, or refinanced prior to the effective date of the bill would not be subject to these provisions.

Effective Date: September 1, 2013. These provisions would apply only to bonds that were issued, refunded, or refinanced on or after the effective date of the bill. Bonds issued, refunded, or refinanced prior to the effective date of the bill would not be subject to these provisions.

For further information, please contact: Cassie Huggins, State Funding
(512) 463-9232
Email: Cassie.Huggins@tea.state.tx.us

Action required for 2013-14 School Year: The SBOE will need to adopt rules related to charter school bonds once IRS approval has been obtained.

Outstanding Issues: We are still waiting for IRS approval before we can proceed with the adoption of rules related to the treatment of OECS debt under the PSF bond guarantee.

Rulemaking Authority: SBOE

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 2610

Amends Sections 45.103 and 45.108, Education Code. Amends Section 1202.007, Government Code.

Summary: The bill modifies statutes governing interest-bearing time warrants to extend the allowable maturity period from five to 15 years, to allow refunding as long as the refunding warrants do not extend the final maturity of the original warrants; and to increase the limit on the total amount of a district's outstanding time warrants from \$500,000 to \$1 million.

Change from current law: Amendments to Section 45.103 (a) of the Education Code increase the allowable maturity period for an interest-bearing time warrant issued by a school district from five years to 15 years. New Subsection (a-1) allows school districts to refund interest-bearing time warrants as long as the refunding warrants do not extend the final maturity of the original warrants. Amendments to Subsection (c) increase the limit on the total amount of a district's outstanding time warrants from \$500,000 to \$1 million.

Section 45.108(a) of the Education Code is amended to authorize a school district to borrow money for maintenance expenses using a nonnegotiable note and to specify that maintenance expenses or expenditures include expenditures related to a refunding note that does not extend the maturity date of the original note.

Section 1202.007(a) of the Government Code is amended to exempt from attorney general review and approval a nonnegotiable note with a principal amount of \$1 million or less that was issued by a school district.

Effective Date: September 1, 2013

Action required for 2013-14 School Year:

Outstanding Issues:

For further information, please contact:
Amanda Brownson, State Funding
(512)463-0986
Email: Amanda.Brownson@tea.state.tx.us

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 65-68

Amends Sections 51.805, 56.3041 and adds Section 56.009, Education Code

Summary: A graduating student who does not qualify for automatic college admission may apply to any general academic teaching institution if the student

- successfully completed, at a public high school, the curriculum requirements established for the foundation high school program; or
- satisfied ACT 's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500 out of 2,400 or the equivalent.

The Texas Higher Education Coordinating Board and the Commissioner of Education must jointly adopt rules to establish eligibility requirements for admission related to curriculum requirements for high school graduation for students participating in the minimum, recommended, or advanced high school program so that the admission requirements for those students are not more stringent than the admission requirements for students participating in the foundation high school program.

To the extent that a person's eligibility to participate in any student financial assistance program under TEC, Chapter 56, including Subchapters K, Q, and R, is contingent on the person graduating under the recommended or advanced high school program, as those programs existed before the adoption of HB 5, the THECB and the Commissioner of Education must jointly adopt rules to modify, clarify, or otherwise establish for affected programs appropriate eligibility requirements regarding high school curriculum completion.

To be eligible initially for a TEXAS grant, a person graduating from high school on or after May 1, 2013, and enrolling in a general academic teaching institution must be a graduate of a public or accredited private high school in this state who completed the foundation high school program or its equivalent and must have accomplished any two or more of the following:

- successful completion of the course requirements of the international baccalaureate diploma program or earning of the equivalent of at least 12 semester credit hours of college credit in high school
- satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the THECB on any assessment instrument designated by the THECB or qualification for an exemption
- graduation in the top one-third of the person's high school graduating class or graduation from high school with a grade point average of at least 3.0 on a four-point scale or the equivalent
- completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course or at least one advanced career and technical or technology applications course.

A student who graduated under the recommended or advanced high school program is considered to have successfully completed the curriculum requirements of the first bullet above.

Change from current law: Under current law a public school student is eligible for admission to general academic teaching institution if the applicant successfully completed the curriculum requirements for the recommended or advanced high school program or satisfied ACT's College Readiness Benchmarks on the ACT assessment applicable to the applicant or earned on the SAT assessment a score of at least 1,500 out of 2,400 or the equivalent.

Under current law, a student is initially eligible for a TEXAS grant if the student is a graduate of a public or accredited private high school in this state who completed the recommended or advanced high school program. Current statute does not include technology applications courses in the eligibility criteria.

Effective Date: June 10, 2013; applies beginning with the 2014-2015 school year.

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 5, Section 83

Summary: Section 83 directs an education research center to evaluate the implementation of HB 5 and submit two reports regarding the evaluation.

Change from current law: Section 83 directs the agency, in collaboration with THECB and Texas Workforce Commission, to contract with an external evaluator at an education research center to evaluate the implementation of the changes in HB 5 to curriculum requirements for high school graduation. The evaluation must address the effect on graduation rates, college readiness, college admissions, college completion, obtainment of workforce certificates, employment rates, and earnings. An initial report shall be submitted by December 1, 2015, and a final report submitted by December 1, 2017.

Effective Date: June 10, 2013

Action required for 2013-14 School Year: The agency will select an education research center during 2013-14 to begin work on September 1, 2014.

Outstanding Issues: The preparation of this report is dependent on funding in 2014-15. No specific funds were appropriated for this purpose.

For further information, please contact:
Research and Analysis (512) 475-3523

Rulemaking Authority: None

Does this expressly apply to charters? Not applicable

Does this bill contain a new reporting requirement for TEA/school districts? Yes

Does this bill require the agency or ISD to post information to their website? No

HB 3483

Amends Section 1001.1001, Education Code and Amends Section 545.424 (a-1), Transportation Code

Summary: The bill would require the commissioner to designate the textbooks to be used in a driver education course for minors and adults. The bill would increase the number of hours of behind-the-wheel instruction that takes place in presence an adult who meets the requirements of Section 521.222(d)(2), Transportation Code from 20 to 30 hours. The bill would prohibit a person under 18 years of age from operating a motor vehicle after midnight and before 5 a.m. unless the operation of the vehicle is necessary for the operator to attend or participate in employment or a school-related activity or because of a medical emergency; or with more than one passenger in the vehicle under 21 years of age who is not a family member.

Change from current law: Currently, driver education courses for minors and adults are allowed to use instructional materials in lieu of a textbook. If passed, the bill would require the commissioner by rule to designate the textbooks to be used in a driver education course for minors and adults conducted by a school district, driver education school, or parent or other individual under Section 521.205, Transportation Code (home-taught).

Currently, a student must complete 20 hours of behind-the-wheel instruction that takes place in presence an adult who meets the requirements of Section 521.222(d)(2), Transportation Code. If passed, the bill would increase these 20 hours to 30 hours.

Currently, a person under 18 years of age is prohibited from operating a motor vehicle after midnight and before 5 a.m. unless the operation of the vehicle is necessary for the operator to attend or participate in employment or a school-related activity or because of a medical emergency; or with more than one passenger in the vehicle under 21 years of age who is not a family member during the 12-month period following issuance of an original Class A, B, or C driver's license to the person. If passed, the bill would remove the 12-month period and an individual would be prohibited from operating a motor vehicle between midnight and before 5 a.m. or with more than one passenger in the vehicle under 21 years of age who is not a family member until 18 years of age.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: The bill would require the commissioner by rule to designate the textbooks to be used in a driver education course for minors and adults conducted by a school district, driver education school, or parent or other individual under Section 521.205, Transportation Code (home-taught).

Outstanding Issues: None

For further information, please contact:
Gaye Estes,
Driver Training and Education
(512) 505-0503

Rulemaking Authority: Commissioner

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1020

Amends Section 106.115 (a), Alcoholic Beverage Code

Summary: HB 1020 amends current law relating to the certification of alcohol awareness programs required for minors convicted of or receiving deferred disposition for certain alcohol offenses. HB 1020 requires the court to have a minor on deferred disposition for an offense under Section 49.02, Penal Code, or under Section 106.02, 106.025, 106.04, 106.041, 106.05, or 106.07, to attend an alcohol awareness program approved by the Department of State Health Services under this section or a drug and alcohol driving awareness program approved by the Texas Education Agency.

Change from current law: Previously, the law was unclear to courts as to whether the Texas Education Agency (TEA) regulated Drug and Alcohol Driving Awareness Programs (DADAP) courses are considered state-approved for a minor on deferred disposition for an alcohol related offense as the Texas Department of State Health Services (DSHS) also certifies Drug and Alcohol Driving Awareness Programs (DADAP). The DADAP courses teach about the dangers of driving after using drugs and/or alcohol. The course also teaches about Texas driving while intoxicated laws and defensive driving strategies, as well as how alcohol affects a person's body and mind generally.

H.B. 1020 authorized the TEA regulated DADAP courses to be deemed as state approved by amending Section 106.115 (Attendance at Alcoholic Awareness Course; License Suspension), Alcoholic Beverage Code. This should clear any confusion for citizens, courts, and judges,

and will create a much larger network of quality courses to ensure that defendants get the education they need to effectively reduce recidivism.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: No

Outstanding Issues: None

For further information, please contact:
Gaye Estes,
Driver Training and Education
(512) 505-0503

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 393

Amends Articles 42.15, 43.091, 44.2811, 45.0217, 45.041, 45.0491, and 45.056, Code of Criminal Procedure; Sections 25.0915, 37.081, 37.124, and 37.126, Education Code; Sections 51.08, 52.03, and 52.031, Family Code; and Section 8.07 and 42.01, Penal Code. Also adds Subchapter E-1, Chapter 37, Education Code, and Section 8.08, Penal Code

Summary: Code of Criminal Procedure: This bill authorizes the judge of a criminal court to allow a child to discharge a fine and costs by performing community service or receiving tutoring. It also authorizes the judge to waive payment of a fine or cost on a defendant who defaults in payment in the defendant was a child at the time the offense was committed and alternative methods of discharging the fine or costs would impose an undue hardship on the defendant. Provides confidentiality for records relating to dismissal after deferral of disposition for a fine-only misdemeanor, other than a traffic offense. Expands the use of a case manager by a school district, juvenile board or probation department, or certain courts to provide services with the consent of the student and the student's parents prior to a case being filed against the student and to include prevention and intervention services.

Education Code: Requires a court to dismiss a complaint or referral for the failure to attend school if the complaint or referral fails to specify whether the student is eligible for or receives special education services and is not accompanied by a statement by the school certifying that the school applied truancy prevention measures and the measures failed to meaningfully address the student's school attendance. Limits to persons who are 12 years of age or older the application of the offenses of disruption of classes and disruption of transportation to and from school (but not to and from school activities).

Adds a new subchapter applying to a Class C misdemeanor, other than a traffic offense, committed by a student who is “child” as defined by Article 45.048(h), Code of Criminal Procedure, on property under the control and jurisdiction of a school district. For the purposes of the subchapter, an applicable offense is defined as a “school offense.” Under the subchapter, a peace officer may not issue a citation for a school offense. In addition, a school district that commissions peace officers is authorized to develop a system of graduated sanctions to be imposed before a complaint is filed for disruption of classes, disruption of transportation, or certain categories of disorderly conduct. The system may include a warning letter, a behavior contract, school-based community service, and referral to counseling, community-based services, or other in-school or out-of-school services addressing the child’s behavioral problems. A criminal complaint alleging a school offense must be sworn to by a person with personal knowledge of the facts, be accompanied by a statement from a school employee stating whether the child is eligible for or receives special education services and the graduated sanctions, if required, were imposed before the complaint was filed.

Family Code: Authorizes a court to waive original jurisdiction for a complaint against a child for a misdemeanor punishable by fine only, other than a traffic offense, and refer the child to juvenile court if the court or another court has previously dismissed a complaint against the child under Section 8.08, Penal Code. Also, expands the authority of a law-enforcement officer to dispose of the case of a child taken into custody without referral to juvenile court under certain conditions to also apply disposition without charging a child in a criminal court. Provides that a child accused of a Class C misdemeanor, other than a traffic offense, may be referred to a first offender program prior to the filing of a complaint with a criminal court or referring the child to juvenile court if the child qualifies for the program.

Penal Code: Prohibits prosecution of a person who was younger than 10 years of age when the person engaged in conduct constituting a misdemeanor punishable by fine only or the violation of an ordinance of a political subdivision. Creates a presumption that a person who is at least 10 years of age but younger than 15 is incapable of committing an offense punishable by fine only or in violation of an ordinance of a political subdivision. Adds Section 8.08, authorizing a court with jurisdiction of an offense punishable by fine only or the violation of an ordinance of a political subdivision to determine whether probable cause exists to believe that a child lacks the capacity to understand the court proceeding or to assist in

the child's defense or lacks substantial capacity to appreciate the wrongfulness of the child's own conduct to conform the child's conduct to the requirement of the law. If the court determines that probable cause exists, the court may dismiss the complaint. Provides that certain categories of the offense of disorderly conduct do not apply to a person who was a student younger than 12 years of age at the time the conduct occurred if the conduct occurred at a public school campus during regular school hours.

Change from current law: Creates options for sanctions for certain misdemeanors committed by children other than payment of a fine and cost. Creates confidentiality for records in a case against a child that is dismissed after deferral of disposition. Expands the purposes of a juvenile case manager employed by certain school, juvenile, or court authorities. Limits the application of the offenses of disruption of classes and disruption of transportation to persons 12 years of age or older. Authorizes a school district system of graduated sanctions for school offenses. Extends the first offender program to children who are subject to a complaint in criminal court in addition to those referred to juvenile court. Limits the ability to prosecute children for certain misdemeanors and violations of political subdivision ordinances. Limits the application of certain categories of the offense of Disorderly Conduct in the Penal Code so that they do not apply to conduct occurring on a public school campus during regular school hours if the defendant is a student younger than 12 years of age.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Adapt law enforcement policies to comply with the changes in the definitions of offense and requirements for prosecution.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: Prosecuting attorneys may adopt rules under Sec. 37.147, Education Code, as added in Section 12 of the bill.

Does this expressly apply to charters? In general, it applies to conduct committed by charter school students. However, the amendments related to school district graduated sanctions and to the authority of school district peace officers do not apply because charters are not subject to Chapter 37 (with limited exception) and are not authorized to commission peace officers.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 1226

Adds Sections 531.02447 and 531.02448, Government Code

Summary: The Health and Human Services Commission (HHSC), the Texas Education Agency (TEA), and the Texas Workforce Commission (TWC) shall jointly adopt and implement an employment-first policy. Staff of public schools, vocational service programs, and community providers must be trained and supported to assist in achieving the goal of competitive employment for all individuals with disabilities. An interagency employment-first task force (or an existing committee or task force) must be established (or used) to promote competitive employment of individuals with disabilities and the expectation that individuals with disabilities are able to meet the same employment standards, responsibilities, and expectations as any other working-age adult.

Change from current law: There is no Employment-First policy and there is no Employment-First task force.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: The task force shall be established by appointment by the executive commissioner of HHSC by January 1, 2014.

Outstanding Issues: None

For further information, please contact: Federal and State Education Policy, (512)463-9414

Rulemaking Authority: None

Does this expressly apply to charters? No, but charters may be required to implement the recommendations that come from policy development and rule-making.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 2414

Amends Sections 551.001, 551.006, and 551.127, Government Code

Summary: A member of a governmental body may participate remotely in a meeting of the governmental body by videoconference call and must be counted as present at the meeting if the video and audio feed of the meeting is broadcast live. To conduct a meeting by videoconference call: 1. the governmental body must make one physical space located in or within a reasonable distance of the geographical jurisdiction of the governmental body

equipped with videoconference equipment that provides an audio and video display and a camera and microphone by which a member of the public can provide testimony and participate in the meeting; 2. a member of the governmental body must be present at that physical location; and 3. any member of the public at that physical location must be provided the opportunity to participate in the meeting in the same manner as a person who is physically present at a meeting of the governmental body not conducted by videoconference call.

A communication between members of a governmental body about public business or policy does not constitute a meeting or deliberation if the communication is in writing, posted to an online message board that is viewable and searchable by the public, and displayed in real time and on the message board for no less than 30 days after the first posting. A governmental body may have only one online message board for this purpose and it must be owned or controlled by the governmental body, displayed on its primary Internet webpage, and no more than one click away from its primary Internet webpage. The message board may only be used by members or staff of the governmental body who received specific authorization from the governmental body and a posting must include the name and title of the staff member with the communication. Posted communications removed from the message board after 30 days must be retained for six years and must be disclosed under the Public Information Act. A governmental body may not vote or take any action that is required to be taken at an open meeting by posting a communication to the online message board.

Change from current law: Governmental bodies permitted to conduct a meeting by videoconference call are no longer limited to governmental bodies that extend into three or more counties. The amendment concerning communications posted to an online message board was not previously in statute.

Effective Date: June 14, 2013

Action required for 2013-14 School Year:
Implementation is discretionary so there is no required action.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No, unless the governmental body chooses to maintain an online message board or similar Internet application.

SB 984

Amends Section 551.127, Government Code

Summary: A meeting of a state governmental body or a governmental body that extends into three or more counties may be held by videoconference call if the member of the governmental body presiding over the meeting is physically present at one location of the meeting that is open to the public during the open portions of the meeting. If a problem occurs that causes a meeting to no longer be visible and audible to the public at that location, the meeting must be recessed until the problem is resolved. If the problem is not resolved in six hours or less, the meeting must be adjourned. All locations from which members of the governmental body participate must have two-way communication during the entire meeting. The face of each participant in the videoconference call, while speaking, must be clearly visible, and the voice audible, to each other participant and, during the open portions of the meeting, to the members of the public in attendance.

Change from current law: The requirements that a majority of the quorum of the governmental body be physically present at one location and that notice of the meeting include each location where a member of the governmental body will be physically present during the meeting are eliminated. The sections concerning technical issues with the videoconference call and a clearly visible face and audible voice were not previously in statute.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: There is no required action, implementation is discretionary.

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? This bill does not appear to apply to charter schools or school districts as it is unlikely they would constitute a governmental body that extends into three or more counties.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1050

Amends Section 791.11 by adding subsection (j) and adds Section 2267.3615, Government Code

Summary: Gov. Code 791.11 (J) A local government may not enter into a contract to purchase construction related goods or services in an amount greater than \$50,000 through a purchasing cooperative unless a person designated by the local government certifies in writing that:

- (1) The project for which the construction-related goods or services are being purchased does not require the preparation of plans and specifications under chapters 1001 (Engineers) and 1051 (Architects) of the Occupations code; or
- (2) The plans and specifications required under Chapter 1001 and 1051, Occupation Code, have been prepared.

Gov. Code Section 2267.3615 allows a governmental entity to require design-build firms to provide the names of companies that fill key project roles or key task leaders. A design-build firm may not change these companies unless certain conditions are met.

Change from current law: Adds a new requirement

Effective Date: September 1, 2013

Action required for 2013-14 School Year: Will require school districts and applicable charter schools who plan on utilizing a cooperative purchasing contract for construction goods and services valued over \$50,000 during the 2013-14 school year to meet the new written certification requirement.

Outstanding Issues: None

For further information, please contact:
Michael Richmond, Financial Compliance
(512)463-3403

Rulemaking Authority: None

Does this expressly apply to charters? Applies only to school districts and those charter schools that have opted to follow TEC section 44.031 for the purchase of construction goods or services.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 831

Amends 161.325, Health and Safety Code

Summary: The Department of State Health Services (DSHS), in coordination with the TEA, must annually update a list of recommended best practice-based programs in the following areas:

- Early mental health intervention
- Mental health promotion and positive youth development
- Substance abuse prevention
- Substance abuse intervention
- Suicide prevention

The programs are intended to be implemented in public elementary, junior high, middle, and high schools. DSHS, TEA, and each regional education service center (ESC) are required to make the list of programs easily accessible on their websites.

Change from current law: Current law requires DSHS and the TEA to provide and annually update a list of recommended best practice-based programs for early mental health intervention and suicide prevention for implementation in public elementary, junior high, middle, and high schools. Mental health promotion and positive youth development, substance abuse prevention, and substance intervention must now be added to the list of programs which must be included on the list of best practice-based programs. ESCs are not currently required to work with DSHS and TEA to develop and update the list and there is not currently a requirement that the list be made easily accessible on the websites of the responsible agencies.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: DSHS, TEA, and each regional education service center must make the list of recommended best practice-based programs available on their websites.

Outstanding Issues: The board of trustees of each school district may adopt a policy concerning mental health promotion and substance abuse prevention and intervention. This is permissive, not required.

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? Yes. DSHS, the TEA, and each ESC are required to make the list of recommended best practice-based programs easily accessible on their respective websites.

HB 809

Adds Section 302.014, Labor Code

Summary: The Texas Workforce Commission must provide TEA with information at least each quarter regarding current and projected employment opportunities in Texas, disaggregated by county or other appropriate region.

TEA must provide information to school districts for use in local planning and implementation of CTE and training programs.

Change from current law: Current law does not require this activity

Effective Date: September 1, 2013

Action required for 2013-14 School Year: TEA must provide information to school districts for use in local planning and implementation of CTE and training programs. Districts should use the information in local planning and implementation of CTE programs once it has been provided beginning with the 2013-2014 school year.

Outstanding Issues: None

For further information, please contact: Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 3028

Amends Section 303.003, Labor Code

Summary: Funds from the skills development fund or other funds available to the Texas Workforce Commission may be awarded to a lower-division institution of higher education (IHE) to be used under an agreement with a local school district to support courses offered for joint high school and college-level credit or offered under a college credit career or technical education program that leads to an industry-recognized license, credential, or certificate.

- A course or program supported with these funds must:
- Have the endorsement of, or a letter of support from, at least one employer in Texas
 - Be targeted to address the needs of high-demand fields or occupations, as identified by the applicable local workforce development board

Change from current law: Current law does not describe the use of these funds for these activities

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 122

Amends Section 87.012, Local Government Code

Summary: A district judge may remove a member of the board of trustees of a school district from office through the petition and trial process of Chapter 87 of the Local Government Code.

Change from current law: A member of the board of trustees of a school district is not currently on the list of officers subject to removal by a district judge.

Effective Date: June 14, 2013

Action required for 2013-14 School Year: None

Outstanding Issues: None

For further information, please contact:
Office of Legal Services
(512)463-9720

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 1016

Amends Section 180.002, Local Government Code

Effective Date: May 18, 2013

For further information, please contact:
Office of Legal Services
(512)463-9720

Summary: The bill clarifies that the amended section relating to legal representation of a peace officer in a civil suit applies to peace officers employed by school districts.

Change from current law: The section currently applies to municipalities and special purpose districts.

Action required for 2013-14 School Year: School districts must provide the required representation on the request of a peace officer.

Outstanding Issues: None

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HB 798

Amends Section 53.021, Occupations Code

Effective Date: September 1, 2013

For further information, please contact:
Doug Phillips,
Investigations Educator Certification
(512) 936-8400

Summary: This bill would eliminate the ability of a licensing agency to take actions against a license holder or applicant for license who has been convicted of a Class C misdemeanor, with the exception of individuals who are applying for a firearm license that have been convicted of domestic assault. The Occupations Code 53.021 currently allows a licensing agency to take those actions for all convictions regardless of the classification of the offense.

Change from current law: The Occupations Code 53.021 currently allows a licensing agency to take those actions for all convictions regardless of the classification of the offense.

Action required for 2013-14 School Year: None

Outstanding Issues: None

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 162

Amends Section 55.001 and Adds Sections 55.005-55.007 and 1701.35, Occupations Code

Effective Date: May 18, 2013

For further information, please contact: Michael Vriesenga,
Educator Leadership and Quality
(512)463-8911

Summary: The bill provides for expedited and expanded licensing procedures, including educator certification, for military members, veterans and spouses.

Change from current law: The bill expands the provisions relating to the occupational licensing of military members, veterans and spouses.

Action required for 2013-14 School Year: SBEC must adopt rules under Occupations Code Sections 55.005, 55.006 and 55.007 not later than January 1, 2014.

Outstanding Issues: None

Rulemaking Authority: SBEC

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 124

Amends Sections 37.10 and 39.03, Penal Code

Effective Date: September 1, 2013

For further information, please contact: Office of Legal Services
(512)463-9720

Summary: Amends the offense of Tampering With Governmental Record to increase the penalty for intentionally or knowingly submitting false PEIMS data to a third or second degree felony and amends the offense of Official Oppression to increase the penalty to a third degree felony if the public servant intended to impair the accuracy of data reported through PEIMS.

Change from current law: Currently the offenses are either a Class A misdemeanor or state jail felony.

Action required for 2013-14 School Year: None

Outstanding Issues: None

Rulemaking Authority: None

Does this expressly apply to charters? No, but it applies to any PEIMS data which includes data required to be submitted through PEIMS by open-enrollment charter schools.

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

SB 1705

Amends Section 521.165, Transportation Code

Summary: This bill allows the Department of Public Safety to authorize a licensed driver education school to administer the examination that includes the demonstration of the driver's license applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type that the applicant will be licensed to operate (road test).

Change from current law: Currently, the examination that includes the demonstration of the driver's license applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type that the applicant will be licensed to operate (road test) is given by the Department of Public Safety. If passed, the bill would allow the Department of Public Safety to authorize a licensed driver education school to administer this exam.

Effective Date: September 1, 2013

Action required for 2013-14 School Year: The bill would allow the Department of Public Safety to authorize a licensed driver education school to administer this examination.

Outstanding Issues: None

For further information, please contact:
Gaye Estes,
Driver Education and Training
(512) 505-0503

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

HCR 104

Summary: This resolution encourages school districts to adopt policies that promote the use of technology and technical devices in classrooms. The resolution requires that the Texas Secretary of State forward an official copy of the resolution to the Commissioner of Education.

Change from current law: Not Applicable

Effective Date: Not Applicable

Action required for 2013-14 School Year: None

Outstanding Issues: School districts are encouraged to adopt policies that promote the use of technology and technical devices in classrooms.

For further information, please contact:
Curriculum Division, (512) 463-9581

Rulemaking Authority: None

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No

Does this bill require the agency or ISD to post information to their website? No

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