

**Briefing Book
on
Public Education Legislation**

**85th Texas
Legislative Session**

October 2017



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HB 136

Statute Amended or Added: Amends Section 4.001(b), Education Code

Summary: The bill amends Education Code §4.001 (b), which lists ten objectives for public education in Texas. The bill amends objective four to state that through the state's curriculum, students should be "prepared to succeed in a variety of postsecondary activities, including employment and enrollment in institutions of higher education." The bill also adds a new objective that the State Board of Education, the Texas Education Agency (TEA), and commissioner of education should assist school districts and charter schools in providing career and technology education (CTE).

Change from current law: Adds, "Through that curriculum, students will be prepared to succeed in a variety of postsecondary activities, including employment and enrollment in institutions of higher education" to Objective 4 and adds Objective 11, "The State Board of Education, the agency, and the commissioner shall assist school districts and charter schools in providing career and technology education to students."

Effective Date: May 31, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: College, Career, and Military Preparation Division;
(512) 936-6060

SB 1566, Section 1

Statute Amended or Added: Adds Subsection 11.151(f), Education Code

Summary: Section 1 defines the county education department of Dallas County Schools (described by county population, rather than by name) as a school district for purposes of the Texas Education Code and subjects Dallas County Schools to TEA oversight.

Change from current law: This is new law. Previously, Dallas County Schools was not considered a school district under the Texas Education Code nor was it subject to TEA oversight.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Dallas County Schools will need to be added to TEA's databases as a school district. Dallas County Schools will now fall under the Chapter 39 accreditation system. However, as Dallas County Schools only provides transportation services to area school districts, the academic accountability system is inapplicable to Dallas County Schools. In contrast, the FIRST financial accountability system is generally applicable to Dallas County Schools. Dallas County Schools may be considered for accreditation purposes on its FIRST rating basis alone.

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? No

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

For further information, please contact: Office of General Counsel, (512) 463-9720

SB 1566, Section 2

Statute Amended or Added: Adds Subsection 11.1511(d), Education Code

Summary: Section 2 allows the school board to require, without superintendent interference, the district's chief business official or curriculum director (or person holding an equivalent position) to appear before a board executive session or board hearing.

Change from current law: This is new law. This allowance is not explicit in current Education Code.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Division of Governance and Investigations (512) 475-3697

SB 1566, Section 3

Statute Amended or Added: Amends Subsection 11.1512(c) and adds Subsections 11.1512(c-1), (c-2), (c-3), and (g), Education Code

Summary: Section 3 requires a district to provide board members with requested records, including certain federally protected records, within 20 business days. However, a district may take an additional 10 business days to respond to burdensome requests; any new deadline must be communicated to the board member, along with the reason for the delay. A district's failure to comply with terms of an information request as outlined in this bill would result in a cause of action, whereby the board member would be entitled to seek injunctive relief and, if the member prevails, recover court costs and reasonable attorney's fees that would be paid for from the budget of the superintendent's office. If a board member requests records protected under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) (FERPA), the member must maintain the confidentiality of the information. Finally, the district must create a policy regarding board members visits to district campuses and facilities.

Change from current law: Under current law, school districts are not required to provide records to board members that were protected under FERPA. However, TEA notes that FERPA, which preempts state laws such as SB 1566, permits an educational agency or institution to disclose, without consent, personally identifiable information from students' education records only to school officials within the educational agency or institution that the educational agency or institution has determined to have legitimate educational interests in the information. Therefore, before a school board member may receive FERPA-protected information, the school board member's district must first determine that school board members have a legitimate educational interest in the protected information. Additionally, current law does not impose an explicit timeline for record requests by board members. Finally, TEC is silent regarding a district policy on board member campus or facility visits.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Any school district without a policy on board member visits to district campuses or facilities must create such a policy.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Division of Governance and Investigations (512) 475-3697

SB 1566, Sections 4 and 16

Statute Amended or Added: Adds Sections 11.1515 and 11.1516 and adds Subsection 39.107(b-1)(5), Education Code

Summary: Section 11.1515 adds a new duty for the board of trustees of an independent school district or the governing body of an open-enrollment charter school. This duty is to provide oversight regarding student academic achievement and strategic leadership for maximizing student performance.

Section 39.107(b-1)(5) adds a new requirement for campus turnaround plans based on the new duty in §11.1515. Campus turnaround plans are required for any campus that has been identified as unacceptable for two consecutive school years. This new requirement for campus turnaround plans is to have a detailed description for developing and supporting the oversight of academic achievement and student performance by the board of trustees.

Section 11.1516 requires the agency to create an Internet website for school board members and campus staff to review campus and district academic achievement data. It must include disaggregated district data that is updated at least once each quarter; it should allow districts to compare their academic performance against districts of similar size and demographic makeup. School districts and charter schools that use the academic achievement data website will be required to load the necessary data at least a quarterly basis during each school year. However, participation will be voluntary.

Change from current law: This is new law. Previously, the duty outlined in §11.1515 was not imposed on the board; in addition, the district data on academic achievement website was not required of the agency. In addition, the campus turnaround plans were not required to address how the board would develop and support the responsibility in §11.1515.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Any board of trustees of an independent school district or the governing body of an open-enrollment charter school without a policy relating to the duty to provide oversight regarding student academic achievement and strategic leadership for maximizing student performance will need to create such a policy. The agency will need to create an Internet website that provides disaggregated district data on academic achievement, which is updated at least once a quarter of the school year. Any campus that has been identified as unacceptable for two consecutive school years will need to ensure that their campus turnaround plan includes the new responsibility in §11.1515.

Implementation required beyond 2017-18 school year: The agency must maintain the Internet website and update the district data on a quarterly basis.

Do rules need to be adopted? No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? There is a new reporting requirement for districts and charter schools that choose to participate in the District Data on Academic Achievement Internet website.

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

For further information, please contact: Division of Governance and Investigations (512) 475-3697

SB 1566, Sections 5 and 17

Statute Amended or Added: Amends Subsection 11.159(b) and adds Subsection 11.159(c) and (d), Education Code

Summary: Subsection (b) requires the district to post on their Internet website the minutes of the board meeting that reflect any trustee deficient in meeting the State Board of Education (SBOE) required trainings. Subsection (c) states that the SBOE shall require a board member training specific to the evaluation of student academic performance every two years.

Change from current law: Current TEC requires the minutes of last board meeting of the calendar year had to reflect whether trustees had completed or were deficient in completing the required board training. However, this bill now specifies that the minutes of the board meeting held before an election of trustees should reflect board member training outcomes. It is a new requirement that these minutes be posted on the district's Internet website if they reflect that a trustee is deficient in their SBOE required training; these minutes must be posted within 10 business days of the board meeting and until the training deficiencies have been met. In addition to the district posting requirements, this bill also adds a new board member training requirement: the evaluation of student academic performance. Trustees have up to one year before the date of election or up to 120 days after the date of election or appointment to complete the training. A person serving on the board of trustees on September 1, 2017 must complete the training no later than September 1, 2018.

Effective Date: September 1, 2017

Action required for 2017-18 school year: The evaluation of student academic performance training must be developed, and the SBOE must implement rules regarding its implementation. School boards must insure that the last meeting held before an election of trustees includes an agenda item regarding the State Board of Education required training for board members. If any board members are deficient in their SBOE required trainings, the district must post, within 10 days and until any deficiencies are met.

Implementation required beyond 2017-18 school year: Ongoing. Any board member who continues to serve on the board must receive this training every two years after the initial training completion anniversary.

Do rules need to be adopted? Yes. SBOE rule, 19 TAC §61.1. Continuing Education for School Board Members.

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. If any board members are deficient in their SBOE required trainings, the district must post, within 10 days and until any deficiencies are met, the meeting minutes from the last meeting held before an election on the district's Internet website.

For further information, please contact: Division of Governance and Investigations (512) 475-3697

SB 1882, Section 1

Statute Amended or Added: Amends Section 11.174, Education Code

Summary: SB 1882 establishes that a board of trustees of a district may 1) partner with an open-enrollment charter school or 2) grant a charter to an eligible entity with the intent to contract to partner to operate a district campus. Eligible partnership campuses will qualify for a two-year exemption from certain state accountability interventions and an increase in state funding.

To be eligible for partnership under SB 1882, open-enrollment charter school may not have been previously revoked and must have received acceptable academic and financial accountability ratings for the three preceding school years.

Change from current law: This is new law; this partnership provision did not previously exist in statute.

Effective Date: September 1, 2017

Action required for 2017-18 school year: The commissioner shall adopt rules to administer both sections. These rules will define the meaning of "contract to partner to operate" as well as outline the application and approval process for eligible entities granted a charter under Subchapter C, Chapter 12. Additionally, the TEA will need to develop a process for tracking partnership campuses for the purposes of accountability and funding.

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? Yes. Commissioner rules, 19 TAC Chapter 97: Subchapter EE. Accreditation Status, Standards, and Sanctions

Does this expressly apply to charters? Yes. This bill expressly applies to open-enrollment charters as well as in-district (Subchapter C) 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

For further information, please contact: Division of System Support & Innovation, (512) 463-2617

HB 1469

Statute Amended or Added: Amends Section 12.129, Education Code

Summary: This bill would allow charter schools to hire career and technical education (CTE) teachers that do not have a baccalaureate degree.

Change from current law: TEC §12.129 currently requires charter school principals and teachers to have a baccalaureate degree. This bill amends TEC, §12.129 (Minimum Qualifications for Principals and Teachers) by adding new Subsections (a) and (b). Subsection (a) would amend the existing section of education code by proposing an exception to the requirement that all persons employed as a principal or teacher of an open-enrollment charter school must have a baccalaureate degree. Proposed new Subsection (b) outlines the exception. The exception is for teachers working in open-enrollment charter school that serve youth referred to or placed in a residential trade center by a local or state agency who are teaching non-core, academic career and technical education courses. In place of a bachelor's degree, teachers described in Subsection (b) would need (1) demonstrated subject matter expertise; (2) an industry license, certification, or registration; and (3) at least 20 hours of classroom management training as determined by the governing body of the charter school.

Effective Date: June 1, 2017

Action required for 2017-18 school year: Amend commissioner rule to reflect the exception outlined in the bill.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. Commissioner rule, 19 TAC Chapter §§100.1015 and 100.1211

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

For further information, please contact: Charter School Administration, (512) 463-9575 or Office of General Counsel, (512) 463-9720

SB 1566, Section 7

Statute Amended or Added: Adds Section 12A.0071, Education Code

Summary: The bill requires that a District of Innovation (DOI) must post a copy of the district's local innovation plan on the district website. Within 15 days of adoption or renewal of a DOI plan, the DOI must provide a copy of the plan to the agency in order for the agency to promptly post the plan to the TEA website.

Change from current law: The bill places a requirement in statute on a DOI to post the local innovation plan to the district website and provide a copy of the DOI plan to the agency within 15 days of adoption or renewal for posting on the agency website. Previously, the only laws regarding the posting of DOI plans was in TEC 12A.005, which required the proposed plan to be available on the district's Internet website for at least 30 days before the board of trustees may vote on adoption of the plan. However, administrative code required DOIs to clearly post the final local innovation plan to the district website, in TAC §102.1305(e), for the term of the designation as an innovation district and as a practice, the agency posts the link to the plans on the agency website.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Update the Texas Administrative Code rules.

Implementation required beyond 2017-18 school year: Continue to collect DOI plans and post on the agency website.

Do rules need to be adopted? Yes. Commissioner rules, TAC 102, Subchapter JJ.

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

For further information, please contact: Division of Accreditation (512) 463-5899

SB 1353

Statute Amended or Added: Amends Sections 13.054 and 41.002(g), Education Code

Summary: This bill addresses state financial assistance for a school district to which an academically unacceptable school district is annexed.

Change from current law: Amends TEC 13.054 (g) regarding the provision of assistance to districts to which academically unacceptable school districts are annexed. The amount of additional assistance to be provided is to be calculated based on multiplying the debt service taxes per student in the receiving district prior to the annexation by the number of additional students enrolled as a result of the annexation.

Allows the commissioner to fund annexing districts under Subchapter G, Chapter 13 (incentive aid) if that would result in a greater amount.

Clarifies that funding received under 13.054 is in addition to any funds calculated under Chapters 41 and 42. Education code

Amends Section 41.002(g), education Code to clarify the adjusted wealth per student calculation be based on a maximum tax rate of \$1.17. A clean-up provision already implemented by the TEA.

As no specific appropriation was made, the commissioner is not required to provide the additional funding for the amendments in this act, however the commissioner may do so using other appropriations available for the purpose.

Effective Date: June 1, 2017

Action required for 2017-18 school year: The agency will need to identify appropriations, calculate entitlement for Texas City ISD. Make payments

Implementation required beyond 2017-18 school year: Continue payments for 5 years. Other school districts may become eligible.

Do rules need to be adopted? No

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

For further information, please contact: Al McKenzie, State Funding, (512) 463-9238

HB 553

Statute Amended or Added: Adds Section 19.012, Education Code

Summary: HB 553 relates to the creation of a task force to identify opportunities for academic credit and industry recognition for inmates of the Texas Department of Criminal Justice.

Change from current law: The Windham School District, in consultation with the Texas Department of Criminal Justice, must establish a task force to conduct an ongoing comprehensive review of the work or other productive activities in which persons confined or imprisoned in the department engage; and identify opportunities for the award of high school credit, college credit, or joint high school and college credit, or the award of an industry-recognized credential or certificate, for engaging in that work or activity.

Windham, in consultation with the department, TEA, THECB, and TWC must for any type of work or productive activity for which an opportunity is identified, determine the actions necessary for obtaining the award of the applicable academic credit or industry recognition.

Not later than September 1, 2021, the task force must submit to the governor and the legislature a report that summarizes the review and Windham's actions with regard to obtaining the award of academic credit or industry recognition.

Effective Date: September 1, 2017

Action required for 2017-18 school year: TEA will consult. The task force is to be appointment by December 1, 2017.

Implementation required beyond 2017-18 school year: Consultation

Do rules need to be adopted? No

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

For further information, please contact: College, Career, and Military Preparation Division;
(512) 936-6060

SB 7

Statute Amended or Added: Adds Sections 21.0061, 21.009, 21.0581 and 38.027, Education Code and amends Sections 21.006, 21.044(g), 21.054(d) and (e), 21.058, 21.062(a), 21.355, 39.057(a), Education Code. Adds Section 42.0192 and amends Sections 42.01, 42.018(a), Code of Criminal Procedure. Amends Section 21.12(a), Texas Penal Code; Adds Section 824.009, Texas Government Code.

Summary: SB 7 addresses inappropriate educator-student relationships by enhancing criminal liability, increasing administrator reporting requirements, and giving TEA additional tools to facilitate investigations.

Change from current law: Broadens criminal liability for educators who engage in such relationships and for administrators who fail to report, requires principals to report to their superintendents, requires pre-employment affidavits for educators to disclose prior misconduct, emphasizes continuing education and educator preparation in educator-student boundaries, creates revocation by operation of law for educators who are registered sex offenders, allows revocation for educators who assist another educator in obtaining employment when they know the educator has committed sexual misconduct with a student or minor, grants the Commissioner subpoena authority for witness testimony in educator investigations, and allows special accreditation investigations when a school district fails to produce requested information.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None.

Do rules need to be adopted? Yes. SBEC rule, 19 TAC Chapter 249 will need to be amended to comport with the statutory changes to Tex. Educ. Code Chapter 21. SBEC is expected to begin necessary rulemaking at its October 2017 meeting.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No, although the new requirement for principals to report misconduct to superintendents may cause additional superintendent reporting of educator misconduct to TEA.

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

For further information, please contact: Doug Phillips, Director of Enforcement (512) 936-8400 or Laura Moriaty, Director of General Counsel, (512) 463-9720

SB 1839, Sections 1, 3, 8, 9, and 10

Statute Amended or Added: Amends Sections 21.011, 21.044, 21.054, and 21.451, Education Code and adds Section 21.0543, Education Code

Summary: Section 1 of the bill adds definitions for digital learning and digital literacy. Section 3 of the bill requires the curriculum for an educator certificate that requires a bachelor's degree to include instruction that is aligned with international technology standards. Educator preparation programs (EPPs) must conduct a digital literacy evaluation prior to instruction, provide strategies to determine an individual's degree of digital literacy, and include resources to address any digital literacy deficiencies identified by the digital literacy evaluation. Section 8 of the bill requires continuing professional education requirements for classroom teachers and principals to include instruction regarding digital teaching and learning as part of the list of training that may not exceed 25 percent of the required training necessary for renewal of a standard certificate. Section 9 of the bill requires the SBEC to allow instruction related to digital technology to count toward continuing professional education requirements. To qualify for continuing professional education credit, the instruction must use technology to increase the digital literacy of the educator and assist the educator in the use of digital technology to improve teaching, assessment, and instructional practices. Section 10 of the bill adds digital learning to the list of topic areas that a school district may include as staff development. The digital learning staff development needs to discuss basic technology proficiency expectations, discuss methods to increase digital literacy, and assist an educator in the use of digital technology to improve teaching, assessment, and instructional practices. This section also requires training in the instruction of students with disabilities by educators who work primarily outside the area of special education to be evidence-based as defined in The Every Student Succeeds Act.

Change from current law: Under current law, digital learning and digital literacy are not defined and there is not a requirement for a digital literacy evaluation or digital literacy instruction for certification. Under current law, integrating technology into classroom instruction and campus curriculum and instruction are included in the continuing professional education requirements. Under current law, digital learning staff development is not listed as one of the topics for which a school district may include training. Current law references the No Child Left

Behind Act and scientifically based research as it relates to training in the instruction of students with disabilities.

Effective Date: June 12, 2017

Action required for 2017-18 school year: SBEC will need to adopt rules and SBOE will need to review the adopted rules. TEA will need to modify its website and other materials to address the change and inform stakeholders about the change. EPPs that do not already use a digital literacy evaluation and/or digital literacy instruction aligned with the international technology standards would need to purchase or develop a digital literacy evaluation, purchase or develop a digital literacy curriculum based on the international technology standards, and/or hire any additional staff necessary to develop and/or teach the curriculum.

Implementation required beyond 2017-18 school year: The EPP and continuing professional education requirements would continue to be implemented.

Do rules need to be adopted? Yes. SBEC rules, 19 TAC Chapters 228 and 232 need to be adopted by the SBEC and reviewed by the SBOE.

Does this expressly apply to charters? Yes, if the charter is an approved EPP.

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

For further information, please contact: Educator Preparation, (512) 936-8400, Continuing Professional Education, (512) 936-8400

SB 1839, Sections 2 and 4

Statute Amended or Added: Amends Sections 21.043 and 21.045, Education Code

Summary: Section 2 of the bill requires the TEA to work with SBEC and educator preparation programs (EPPs) to determine what data needs to be shared with EPPs for program improvement. Section 4 of the bill requires the TEA to provide to each EPP data relating to the EPP that is compiled and analyzed by the TEA based on information reported through the Texas Student Data System(TSDS)/Public Education Information Management System (PEIMS).

Change from current law: Current law requires the TEA to report certain accountability, performance, and consumer information on the Internet.

Effective Date: June 12, 2017

Action required for 2017-18 school year: TEA will need to convene stakeholder meetings, provide information to the SBEC, and provide data to EPPs.

Implementation required beyond 2017-18 school year: The provision of EPP data must be implemented beyond the 2017-18 school year.

Do rules need to be adopted? No

Does this expressly apply to charters? Yes, if the charter is an approved EPP.

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

For further information, please contact: Educator Preparation, (512) 936-8400

SB 1839, Section 3

Statute Amended or Added: Amends Section 21.044, Education Code

Summary: Section 3 of this bill prohibits State Board for Educator Certification (SBEC) rules from requiring a formal observation of a candidate by an educator preparation program (EPP) to be conducted on the candidate's site in a face-to-face setting. The bill requires SBEC rules to permit a formal observation to occur onsite or through the use of a technology-based method.

Change from current law: There is no provision in current law that prohibits SBEC rules from requiring a formal observation of a candidate by an EPP to be conducted on the candidate's site in a face-to-face setting. There is also no provision in current law that requires SBEC rules to permit a formal observation to occur onsite or through the use of a technology-based method.

Effective Date: June 12, 2017

Action required for 2017-18 school year: SBEC will need to adopt rules and SBOE will need to review the adopted rules. TEA will need to modify its website and other materials to address the change and inform stakeholders about the change. EPPs that do not currently provide observations that are onsite and face-to-face will not have to change their programs.

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? Yes. SBEC rule, 19 TAC Chapter 228 needs to be adopted by the SBEC and reviewed by the SBOE.

Does this expressly apply to charters? Yes, if the charter is an approved EPP.

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

For further information, please contact: Educator Preparation, (512) 936-8400

SB 1963

Statute Amended or Added: Amends Section 21.044, Education Code

Summary: The bill prohibits State Board for Educator Certification (SBEC) rules from requiring a formal observation of a candidate by an educator preparation program (EPP) to be conducted on the candidate's site in a face-to-face setting. The bill requires SBEC rules to permit a formal observation to occur onsite or through the use of a technology-based method.

Change from current law: There is no provision in current law that prohibits SBEC rules from requiring a formal observation of a candidate by an EPP to be conducted on the candidate's site in a face-to-face setting. There is also no provision in current law that requires SBEC rules to permit a formal observation to occur onsite or through the use of a technology-based method.

Effective Date: June 12, 2017

Action required for 2017-18 school year: EPPs that do not currently provide observations that are onsite and face-to-face do not have to change their programs.

Implementation required beyond 2017-18 school year: Yes.

Do rules need to be adopted? Yes. SBEC rule, 19 TAC Chapter 228 needs to be adopted by the SBEC and reviewed by the SBOE.

Does this expressly apply to charters? Yes, if the charter is an approved educator preparation 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

For further information, please contact: Educator Preparation, (512) 936-8400

HB 3349

Statute Amended or Added: Adds Sections 21.0442 and 21.0491, Education Code

Summary: HB 3349 establishes an abbreviated certification program and probationary and standard certificates for trade and industrial workforce training.

Change from current law: Current law leaves the specific training and requirements for educator certificates to the discretion of SBEC. This bill calls for the creation of a specific certification and provides broad requirements for the issuance of that certification.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. SBEC rule, 19 TAC Chapter 233, Categories of Classroom Teaching Certificates; 19 TAC Chapter 231, Requirements for Public School Personnel Assignments; 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A. Admission to Educator Preparation Programs; 19 TAC Chapter 228, Requirements for Educator Preparation and 19 TAC Chapter 230, Professional Educator Preparation and 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

For further information, please contact: Division of Educator Certification and Testing, Division of Educator Preparation, (512) 936-8400

HB 2039

Statute Amended or Added: Adds Section 21.0489, Education Code

Summary: HB 2039 creates a new early childhood certification for prekindergarten through grade three and specifies an educator preparation program must be completed prior to issuance of the certificate. The legislation also identifies key areas of coursework and training required for issuance of the certificate and specifies there must be collaboration between the Texas Education Agency and educator preparation programs in the development of early childhood standards.

Change from current law: Current statute does not prescribe the grade bands for the existing teacher certifications. HB 2039 would require SBEC to create a prekindergarten through grade three certificate that requires specialized training in early childhood education. SBEC currently provides for a Core Subjects: Early Childhood-Grade 6 certificate.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Finalize standards development and related rulemaking activities; begin and continue test development activities.

Implementation required beyond 2017-18 school year: Complete test development activities and related SBEC/SBOE/Commissioner rulemaking activities to administer new early childhood certification test and issue certification by target date of fall 2019.

Do rules need to be adopted? Yes. SBEC rule, 19 TAC Chapter 233, Categories of Classroom Teaching Certificates; 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B. Prekindergarten-Grade 6 Assignments; 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A. Admission to Educator Preparation Programs; 19 TAC Chapter 228, Requirements for Educator Preparation; 19 TAC

Chapter 230, Professional Educator Preparation and Certification. New 19 TAC Chapter 235 will be created to adopt educator standards into rule.

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

For further information, please contact: Division of Educator Certification and Testing, Division of Educator Preparation, (512) 936-8400

SB 1839, Section 5

Statute Amended or Added: Adds Texas Education Code, Section 21.0489.

Summary: SB 1839 (Section 5) creates a new early childhood certification for prekindergarten through grade three and specifies an educator preparation program must be completed prior to issuance of the certificate. The legislation also identifies key areas of coursework and training required for issuance of the certificate and specifies there must be collaboration between the Texas Education Agency and educator preparation programs in the development of early childhood standards.

Change from current law: Current law does not require an early childhood certification for prekindergarten through grade three.

Effective Date: June 12, 2017

Action required for 2017-18 school year: TEA would need to finalize standards development activities. SBEC will need to adopt rules and SBOE will need to review the adopted rules. TEA would need to begin examination development activities. TEA will need to modify its website and other materials to address the change and inform stakeholders about the change.

Implementation required beyond 2017-18 school year: Complete examination development activities and related rulemaking activities to administer new early childhood certification examination and issuance of certificate by target date of fall 2019.

Do rules need to be adopted? Yes. SBEC rule, 19 TAC Chapter 227, 228, 230, 231, and 233 need to be adopted by the SBEC and reviewed by the SBOE. New 19 TAC Chapter 235 will be created to adopt educator standards into rule.

Does this expressly apply to charters? Yes, if the charter is an approved EPP.

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

For further information, please contact: Educator Preparation, (512) 936-8400, Educator Certification and Testing, (512) 936-8400

SB 1839, Section 6

Statute Amended or Added: Amends Section 21.051, Education Code

Summary: Section 6 of this bill permits up to 15 hours of field-based experiences to come from serving as a long-term substitute before a candidate who is seeking certification as a teacher can be employed by a school district.

Change from current law: Current law requires a candidate for teacher certification, prior to being employed by a school district, to complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities under supervision at a public or private school.

Effective Date: June 12, 2017

Action required for 2017-18 school year: SBEC will need to adopt rules and SBOE will need to review the adopted rules. TEA will need to modify its website and other materials to address the change and inform stakeholders about the change.

Implementation required beyond 2017-18 school year: Yes.

Do rules need to be adopted? Yes. SBEC rule, 19 TAC Chapter 228 need to be adopted by the SBEC and reviewed by the SBOE.

Does this expressly apply to charters? Yes, if the charter is an approved educator preparation 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

For further information, please contact: Educator Preparation, (512) 936-8400

HB 1934

Statute Amended or Added: Amends Section 21.052, Education Code

Summary: This bill would require the State Board for Educator Certification (SBEC) to expedite certification applications for spouses of active duty military service members and issue those spouses a three-year temporary certificate.

Change from current law: Certification applications are already expedited for eligible members of the military community (i.e., active duty military service members, military spouses,

and military veterans), and military spouses that successfully complete the credentials review process are issued a one-year temporary certificate.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Effective September 1, 2017, SBEC is required to issue a three-year temporary certificate to eligible military spouses.

Implementation required beyond 2017-18 school year: Maintain issuance of the three-year temporary certificate to military spouses that qualify for this credential.

Do rules need to be adopted? Yes. SBEC rules, 19 TAC Chapter 234

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, but the Military Community webpage on the TEA website will be updated accordingly to reflect new provisions for military spouses.

For further information, please contact: Division of Educator Certification and Testing, (512) 936-8400

SB 1839, Section 7

Statute Amended or Added: Amends Section 21.052, Education Code

Summary: Section 7 of this bill permits the commissioner of education to adopt rules to provide exceptions for out-of-state certification examination passage.

Change from current law: Current law requires an individual with an appropriate certificate or other credential issued by another state or country to either perform satisfactorily on the certification examination prescribed by the SBEC or an examination similar to or at least as rigorous as the certification examination prescribed by the SBEC that was administered by the state or country that issued the certificate or credential.

Effective Date: June 12, 2017

Action required for 2017-18 school year: SBEC may need to adopt rules and SBOE will need to review the adopted rules. The commissioner may need to adopt rules. If the SBEC rules are changed, TEA will need to modify its website and other materials to address the changes and inform stakeholders about the changes.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? Yes. SBEC rules, 19 TAC Chapter 230. The commissioner of education may need to adopt rules.

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

For further information, please contact: Educator Certification and Testing, (512) 936-8400

HB 3563

Statute Amended or Added: Amends Section 21.057(e), Education Code

Summary: This provision is intended to prevent duplicative parental notification under requirements in both federal and state law by saying that if it is provided under federal law, it doesn't have to be provided again as a result of state law. This bill updates the statutory reference to reflect the Every Student Succeeds Act (ESSA) instead of No Child Left Behind (NCLB) and requires neither more nor less reporting than is provided under current law.

Change from current law: Under current law when NCLB was in place, the required parental notification under state law was not required if the notification was required and provided under federal law.

HB 3563 amends the Education Code to replace references to the NCLB and highly qualified status with relevant language from ESSA and references to grade level and subject area requirements for state certification.

Effective Date: September 1, 2017

Action required for 2017-18 school year: No new action is required. No change to district reporting as a result of this bill.

Implementation required beyond 2017-18 school year: None.

Do rules need to be adopted? No

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

For further information, please contact: Division of Educator Certification and Testing, (512) 936-8400

SB 1839, Sections 10, 11, and 12

Statute Amended or Added: Amends Sections 21.451 and 30A.112, Education Code and repeals 21.005 and 21.052(g), Education Code

Summary: Section 10 of the bill requires training in the instruction of students with disabilities by educators who work primarily outside the area of special education to be evidence-based as defined in the Every Student Succeeds Act. Section 11 of the bill removes the highly qualified professional development provision from the Virtual School Network. Section 12 of the bill repeals other highly qualified references.

Change from current law: Current law references the No Child Left Behind Act (NCLB) and scientifically based research as it relates to school district training in the instruction of students with disabilities. Current law allows the Virtual School Network to provide professional development to teachers who must become highly qualified under the NCLB. Current law also allows the commissioner of education to establish a statewide standard to be used to certify each school district that is preparing, training, and recruiting highly qualified teachers in a manner consistent with the NCLB.

Effective Date: June 12, 2017

Action required for 2017-18 school year: School districts must provide evidence-based training related to the instruction of students with disabilities for educators who work primarily outside the area of special education.

Implementation required beyond 2017-18 school year: The evidence-based training must be implemented beyond the 2017-18 school year.

Do rules need to be adopted? No

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

For further information, please contact: Special Education, (512) 463-9414, Grants Compliance and Oversight, (512) 463-8992

HB 3270

Statute Amended or Added: Amends Section 22.0834 and 22.085, Education Code and adds Section 22.08341, Education Code; Amends Section 411.097, Texas Government Code

Summary: HB 3270 modifies the criminal background check requirements for persons employed by certain public works contractors and subcontractors who work at school districts, open-enrollment charter schools, or shared service arrangements.

Change from current law: Under current law, all contractor employees working at a school district, open-enrollment charter school, or shared services arrangement must be fingerprinted if the employee has continuing duties related to the contracted services and has direct contact with students. HB 3270 provides for conditions under which some or all of the contractors working on a public works project (engineering, architectural, or construction services) would be exempted from the fingerprinting requirement.

Employees of contractors or subcontractors who are providing engineering, architectural, or construction services to a school district, open-enrollment charter school, or shared services arrangement would not be subject to the background checks if the public work:

- does not involve construction, alteration, or repair of an instructional facility;
- involves construction of a new instructional facility, the contracted services will be completed not later than the seventh day before the first date the facility will be used for instructional purposes; or
- is for an existing instructional facility if the public work area has barriers between the work zone and the school, provides separate restrooms from those used by students, and the contracting entity adopts a policy prohibiting employees from interacting with students or entering areas used by students.

A public works contractor's employee that is required to undergo a background check may not be employed if, during the preceding 30 years, the employee was convicted of a crime where the victim was under 18 years of age or enrolled in a public school if the crime was a Title 5 felony or required the individual to register as a sex offender.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. Commissioner rule 19 TAC 153.1117 will be deleted.

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

For further information, please contact: Doug Phillips, Investigations, (512) 936-8400

SB 1220

Statute Amended or Added: Amends Section 25.007, Education Code; Adds Section 264.1211, Family Code

Summary: This bill requires TEA to develop additional procedures to support the transition of students who are homeless or in substitute care from one school to another and would permit the commissioner to establish rules to facilitate the transition of students who are homeless or in

substitute care. The bill would also require Texas Department of Family and Protective Services (DFPS) to create a career development and education program in collaboration with local workforce development boards, foster care transition centers, community and technical colleges, schools, and any other appropriate workforce industry resources.

Change from current law: TEA must assist transition of students who are homeless or in substitute care from one school to another by

- developing procedures to ensure that a new school relies on decisions made by the previous school regarding placement in courses or educational programs of a student who is homeless or in substitute care and places the student in comparable courses or educational programs at the new school, if those courses or programs are available; and
- providing comparable services to a student who was receiving special education services at the previous school during the referral process or until the new school develops an individualized education program for the student.

The commissioner is permitted to establish rules to facilitate the transition between schools of children who are homeless or in substitute care.

DFPS must collaborate with local workforce development boards, foster care transition centers, community and technical colleges, schools, and any other appropriate workforce industry resources to create a program that

- assists foster care youth and former foster care youth in obtaining a high school diploma or a high school equivalency certificate and industry certifications that are necessary for occupations that are in high demand;
- provides career guidance to foster care youth and former foster care youth; and
- informs foster care youth and former foster care youth about the tuition and fee waivers for institutions of higher education that are available.

Not later than September 1, 2018, DFPS, in collaboration with TEA, must produce and submit to the governor and the legislature a report on the program. The report must include recommendations for legislative or other action to further develop the program.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Districts must implement additional transition assistance for students who are homeless or in substitute care.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? The commissioner is permitted to establish rules to facilitate the transition between schools of children who are homeless or in substitute care.

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

For further information, please contact: Division of Special Populations, (512) 463-9414

HB 2442

Statute Amended or Added: Amends Sections 25.081, 25.082, 29.0822(c), 29.087(j), 30A.104(a), 37.008(a), and 42.005; adds Section 29.162; and repeals Section 25.082(a), Education Code

Summary: House Bill 2442 repeals the requirement that a public school day be at least seven hours each day and amends the Education Code to authorize the commissioner of education to adopt rules to determine the minutes of operation that are equivalent to a day, defining minutes of operation and instructional time, and establishing the minimum number of minutes of instructional time required for a full-day and a half-day program.

The bill authorizes the commissioner to proportionally reduce funding and the average daily attendance calculation for a school district that provides fewer minutes of operation than required. The bill sets out additional conditions under which a district or charter school is eligible to earn full average daily attendance and, if a district or charter school operates a prekindergarten program, to earn one-half of average daily attendance.

Change from current law: Section 1 of the bill amends Subchapter C, Chapter 25 of the Texas Education Code by amending §25.081(a) through (e) and adding (f) to clarify operation time. The bill adds language in §25.081(d) to authorize the commissioner of education to adopt rules to determine the minutes of operation that are equivalent to a day, define minutes of operation and instructional time, and establish the minimum number of minutes of instructional time required for a full-day and a half-day program to meet specified time requirements in Subsection (a). The bill amends §25.081(e) by exempting a school district or education program from the minimum minutes of operation requirement if the district or program's average daily attendance is calculated under Texas Education Code, §42.005(j). The bill adds §25.081(f) to allow the commissioner to proportionately reduce the amount of funding a district receives under Texas Education Code Chapter 41, 42, or 46 and the average daily attendance calculation for the district if the district operates on a calendar that provides fewer minutes of operation than required under Subsection (a).

Section 2 of the bill amends the heading to Subchapter C, Texas Education Code, §25.082 by removing the words "School Day" leaving the heading as "Pledges of Allegiance; Minute of Silence."

Section 3 of the bill amends Subchapter C, Texas Education Code, §29.0822(c) by changing the requirement that a course offered in a program under this section provide for at least the same number of instructional hours as required for a course offered in a program that meets the required minimum number of minutes of operation under §25.081 instead of instructional days.

Section 4 of the bill amends Subchapter C, Texas Education Code, §29.087(j) to change a reference to §§25.081 and 25.082 to §25.081 because the bill repeals §25.082.

Section 5 of the bill amends Subchapter E, Chapter 29 of the Texas Education Code by adding §29.162, which authorizes the commissioner to adopt rules for this subchapter to establish full-day and half-day minutes of operation requirements as provided by §25.081.

Section 6 of the bill amends Subchapter C, Texas Education Code, §30A.104(a) by removing a requirement that a course offered through the state virtual school network be equivalent in

instructional rigor and scope to a course that is provided in a traditional classroom setting during a school day that meets the minimum length of a school day required under §25.082 because the bill repeals that section.

Section 7 of the bill amends Subchapter A, Texas Education Code §37.008(a) by deleting existing Subdivision (8) requiring each district to provide a disciplinary alternative education program that provides not less than the minimum amount of instructional time per day required by §25.082 (a) (relating to the required length of a school day).

Section 8 of the bill amends Subchapter A, Texas Education Code §42.005 by amending Subsection (a) and adding Subsections (g-1) and (i) through (n).

The bill amends §42.005(a) to redefine “average daily attendance” by adding §42.005(a)(4) for districts that operate a half-day program.

The bill adds §42.005(g-1), which requires the commissioner to adopt rules to calculate ADA for students participating in a blended learning program in which classroom instruction is supplemented with applied workforce learning opportunities, including participation of students in internships, externships, and apprenticeships.

The bill adds §42.005(i), which provides that a district or charter school operating under Chapter 12 (Charters) that operates a prekindergarten program is eligible to receive one-half of average daily attendance under Subsection (a) if the district's or charter school's prekindergarten program provides at least 32,400 minutes of instructional time to students.

The bill adds §42.005(j), which provides that a district or charter school is eligible to earn full average daily attendance under Subsection (a) if the district or school provides at least 43,200 minutes of instructional time to certain students.

The bill adds §42.005(k), which provides that a charter school operating under a charter granted under Chapter 12 before January 1, 2015, is eligible to earn full average daily attendance under Subsection (a), as that subsection existed immediately before January 1, 2015, for the following: all campuses of the charter school operating before January 1, 2015 and any campus or site expansion approved on or after January 1, 2015, provided that the charter school received an academic accountability performance rating of C or higher, and the campus or site expansion is approved by the commissioner.

The bill adds §42.005(l), which authorizes a district campus or charter school described by Subsection (j) to operate more than one program and be eligible for a full average daily attendance for each program if the programs operated by the district campus or charter school satisfy all applicable state and federal requirements.

The bill adds §42.005(m), which requires the commissioner to adopt rules necessary to implement this section, including rules that meet certain criteria.

The bill adds §42.005(n), which authorizes the commissioner to assist districts in implementing this section as amended by H.B. 2442, Acts of the 85th Legislature, Regular Session, 2017, or similar legislation, to waive a requirement of this section or adopt rules to implement this section. This subsection expires at the end of the 2018-2019 school year.

Section 9 of the bill repeals Texas Education Code, §25.082(a).

Effective Date: June 15, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? Yes, Commissioner rules, 19 TAC 129.1025 Student Attendance Accounting Handbook.

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

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

HB 441

Statute Amended or Added: Adds Subsection 25.081(f), Education Code

Summary: This bill prohibits school districts from providing student instruction on Memorial Day. If a school district would be required to provide student instruction on Memorial Day to compensate for minutes of instruction lost because of school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity, the commissioner shall approve the instruction of students for fewer than the number of minutes required under TEC Section 25.081(a).

Change from current law: This is new law.

Effective Date: Effective June 15, 2017. This act applies to the 2017-2018 school year.

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Office of General Counsel, (512) 463-9720

SB 1566, Section 8

Statute Amended or Added: Adds Section 25.0822, Education Code

Summary: This bill requires the board of trustees of a school district to adopt a policy to allow the campus principal to provide representatives of patriotic societies the opportunity to speak to students.

Change from current law: This is new law.

Effective Date: Applies beginning with the 2017-2018 school year

Action required for 2017-18 school year: School board trustees must adopt a policy permissive to principals who wish to allow patriotic societies to speak to students. The policy shall give the principal complete discretion over the date and time of the opportunity, which can be limited to a single day with presentations limited to 10 minutes in length.

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? No

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

For further information, please contact: Division of Governance and Investigations (512) 475-3697

SB 1152

Statute Amended or Added: Amends Section 25.087, Education Code

Summary: SB 1152 allows a district to excuse a student who is 17 years of age or older for up to four days for the entirety of their high school career from attending school to pursue enlistment in a branch of the armed services of the United States or the Texas National Guard. These excused days can be used to complete tests, medical readiness, legal appointments, or career counseling. The district must adopt a policy to verify student absences applicable to the provisions of this bill by October 1, 2017.

Change from current law: See summary above.

Effective Date: May 28, 2017. The bill applies to the 2017-2018 school year and beyond.

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Division of Financial Compliance, (512) 463-9095, attendance@tea.texas.gov

SB 1153

Statute Amended or Added: Amends Sections 12.104(b), 26.004, 26.0081, Education Code and adds Subsections 42.006(a-3) and (a-4), Education Code

Summary: Relates to the use and notification of response to intervention strategies.

Change from current law: Amended TEC §12.104(b) explains that an open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, relating to a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child.

Amended TEC §26.004 defines "intervention strategy" as a strategy in a multi-tiered system of supports that is above the level of intervention generally used in that system with all children. The term includes response to intervention and other early intervening strategies. This section explains that a parent is entitled to access to all written records of a school district concerning the parent's child including records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child.

Current law requires the agency to provide a written explanation to school districts of the options and requirements for aiding students who have learning difficulties or who need or may need special education. The explanation must state that a parent is entitled at any time to request an evaluation of his or her child for special education services. Amended TEC §26.0081 specifies that the explanation must state that a parent is also entitled request aids, accommodations, or services under Section 514, Rehabilitation Act of 1973.

Amended TEC §26.0081 also requires each school district each school year to provide written notice to a parent of each child not enrolled in a special education program who receives assistance, including intervention strategies, from the district for learning difficulties. The notice must be provided when the child begins to receive the assistance for that school year. The notice must be written in English or, to the extent practicable, the parent's native language. The notice would have to include a reasonable description of the assistance, including any instructional strategies used; information collected regarding any intervention strategies that have been used with the child; an estimate of the duration for which the assistance will be provided; the dates on which a report on the child's progress will be provided to the parent; and

a copy of the explanation provided by TEA to school districts. The notice a school district must provide to parents could be provided at an ARD committee meeting or a Section 504 committee meeting, if applicable.

New TEC §42.006(a-3) requires the commissioner to adopt rules to require each school district and open-enrollment charter school to report in TSDS/PEIMS the number of enrolled students who received intervention strategies. The agency must maintain the information provided.

New TEC §42.006(a-4) requires the commissioner to adopt rules to require each school district and open-enrollment charter school to report in TSDS/PEIMS the total number of students enrolled in the district or charter school who receive aids, accommodations, or services under Section 504. The agency must maintain the information provided.

Effective Date: June 12, 2017. This Act applies beginning with the 2017-2018 school year.

Action required for 2017-18 school year: The agency must amend the Student Handbook Statement related to services for students with disabilities. School districts and charter schools must provide notifications to parents of interventions used with students and must report to the agency the number of students who receive said interventions. School districts and charters must also report to the agency the number of students who receive services through Section 504.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? Yes. The commissioner must adopt rules related to PEIMS reporting requirements for students who receive intervention strategies and Section 504 aids, accommodations, or services.

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

For further information, please contact: Special Populations (512) 463-9414

SB 1566, Section 9

Statute Amended or Added: Adds Subsection 26.011(b), Education Code

Summary: Section 9 qualifies the guidance that board of trustees must adopt a grievance procedure to address complaints, by stating that the board is not required to address complaints concerning participation in extracurricular activities (excluding complaints related to federal statutes regarding special education services, e.g., Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.)).

Change from current law: This is new law. Current law provided no explicit exclusions to complaints the board must address in TEC, 26.011, Complaints.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? No

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

For further information, please contact: Division of Governance and Investigations (512) 475-3697

HB 3593

Statute Amended or Added: Amends Sections 28.002, 28.025, 39.053(c), 42.154(b), and 42.158, Education Code

Summary: This bill requires the SBOE to approve cybersecurity courses for high school credit and adds courses in cybersecurity and computer coding to the description of the STEM endorsement. The bill establishes that technology applications courses on cybersecurity are considered "career and technology education classes" for the purpose of earning weighted funding. The bill also allows districts to use the facilities allotment to renovate an existing facility to serve as a cybersecurity computer lab.

Change from current law: This bill adds cybersecurity and computer coding to the statutory description of the STEM endorsement and requires the SBOE to approve courses in cybersecurity for credit for high school graduation. The SBOE must adopt or select five technology applications on cybersecurity to be included in a cybersecurity pathway for the STEM endorsement.

A district may offer a course in cybersecurity that is approved by the local board of trustees for credit without obtaining SBOE approval if the district partners with a public or private institution of higher education (IHE) that offers an undergraduate degree program in cybersecurity to develop and provide the course. A district must annually report to the agency the names of the cybersecurity courses and IHEs in which the district's students have enrolled.

The bill establishes that a "career and technology education class" and "career and technology education program" include a technology applications course on cybersecurity adopted or selected by the SBOE for purposes of weighted funding.

The bill also establishes that a school district entitled to a facilities allotment may use funds from the district's allotment to renovate an existing instructional facility to serve as a dedicated cybersecurity computer laboratory.

Effective Date: June 15, 2017; applies beginning with the 2017-2018 school year

Action required for 2017-18 school year: The SBOE must take steps to make cybersecurity courses available.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. SBOE rules, SBOE will need to amend rules in Chapter 74 related to graduation requirements to align with changes made to statute. The SBOE will also need to adopt TEKS for cybersecurity courses.

Does this expressly apply to charters? This bill applies to charters to the extent that charter schools are subject to graduation requirements in TEC §28.025.

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 489

Statute Amended or Added: Amends Subsection 28.004(c), Education Code

Summary: This legislation adds instruction on the prevention of the use of e-cigarettes to the requirement that instruction be provided to prevent the use of tobacco.

Change from current law: TEC §28.004 requires each school district board of trustees to establish a local school health advisory council to make recommendations to the board for, among other things, the policies, procedures, strategies, and curriculum for specific grade levels through the coordination of health-related topics.

Instruction to prevent the use of tobacco must now also include preventing the use of e-cigarettes, as defined by Health and Safety Code § 161.081.

Effective Date: May 28, 2017

Action required for 2017-18 school year: Instruction on the prevention of the use of e-cigarettes must be added to local school health advisory council recommendations.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

Does this expressly apply to charters? No. The bill does not expressly apply to 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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 1091

Statute Amended or Added: Adds Subsections 28.009(a-4), (a-5), and (b-1); amends Sections 51.968; adds Subsections 130.008(a-1), (a-2), and (a-3), Education Code

Summary: This bill requires that school district programs under which students may earn the equivalent of 12 college credit hours be comprised of courses in the core curriculum of the Institution of Higher Education (IHE) providing college credit, CTE courses, and foreign language courses.

Change from current law: Currently, TEC §28.009 requires each school district to implement a program under which students may earn the equivalent of 12 college credit hours while in high school. The college credit may be earned through Advanced Placement (AP), International Baccalaureate (IB), or dual credit courses. The college credit may also be earned through locally articulated or advanced technical credit courses.

A dual credit course offered as part of a school district college credit program must be in the core curriculum of the public IHE providing college credit; a CTE course; or a foreign language course. This requirement does not apply to an early college high school program or any other early college program that assists a student in earning a certificate or an associate degree while in high school.

Each IHE that offers freshman-level courses is required to adopt and implement a policy to grant undergraduate course credit to entering freshman students who meet certain criteria.

In the policy, an IHE must, based on correlations identified by THECB, in consultation with TEA, identify the specific course credit or other academic requirements of the institution, including the number of semester credit hours or other course credit, that the institution will grant to a student who achieves required scores on CLEP examinations or AP examinations or who successfully completes a dual credit course.

The policy adopted by an IHE must provide that the institution may grant undergraduate course credit for a dual credit course only if the course is in the core curriculum of the IHE that offered the course; a CTE course; or a foreign language course.

A course offered for joint high school and junior college credit must be in the core curriculum of the public junior college; a CTE course; or a foreign language course.

These requirements do not apply to an early college high school program or any other early college program that assists a student in earning a certificate or an associate degree while in high school.

THECB, in coordination with TEA, must adopt rules to implement dual credit requirements. In adopting those rules, THECB must use the negotiated rulemaking procedures under Texas Government Code, Chapter 2008, and consult with relevant stakeholders.

Effective Date: June 12, 2017; applies beginning with dual credit courses offered for the 2018 spring semester

Action required for 2017-18 school year: Districts must ensure that beginning with courses offered for the spring 2018 semester, programs under which students may earn the equivalent of 12 college credit hours are comprised of courses in the core curriculum of the IHE providing college credit, CTE courses, and foreign language courses.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? THECB, in coordination with TEA, must adopt rules to implement dual credit requirements using the negotiated rulemaking procedures under Texas Government Code, Chapter 2008, and in consultation with relevant stakeholders.

Does this expressly apply to charters? No. The bill does not apply to 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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 1638

Statute Amended or Added: Adds Subsection 28.009(b-1) and (b-2), Education Code

Summary: Relating to statewide goals for dual credit programs provided by school districts.

Change from current law: Not later than August 31, 2018, TEA and the Texas Higher Education Coordinating Board must jointly develop statewide goals for dual credit programs, including early college high school programs, CTE dual credit programs, and joint high school and college credit programs to provide uniform standards for evaluating those programs. The goals must address, at a minimum the following:

- A dual credit program's achievement of enrollment in and acceleration through postsecondary education
- Performance in college-level coursework
- The development of an effective bridge between secondary and postsecondary education in the state

Any agreement, including a memorandum of understanding or articulation agreement, between a school district and public IHE to provide a dual credit program that is entered into or renewed on or after September 2, 2018 must

- include specific program goals aligned with the statewide goals;
- establish, or provide a procedure for establishing, the course credits that may be earned under the agreement, including by developing a course equivalency crosswalk or other method for equating high school courses with college courses and identifying the number of credits that may be earned for each course completed through the program;
- describe the academic supports and, if applicable, guidance that will be provided to students participating in the program;
- establish the district's and the institution's respective roles and responsibilities in providing the program and ensuring the quality and instructional rigor of the program;
- state the sources of funding for courses offered under the program, including, at a minimum, the sources of funding for tuition, transportation, and any required fees or textbooks for students participating in the program; and
- be posted each year on the district's and the institution's respective websites.

Effective Date: May 23, 2017

Action required for 2017-18 school year: TEA and THECB jointly develop statewide goals for dual credit programs.

Implementation required beyond 2017-18 school year: Statewide goals are implemented in the MOUs between school districts and public IHEs to provide dual credit programs.

Do rules need to be adopted? No

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

For further information, please contact: College, Career, and Military Preparation Division; (512) 936-6060

SB 30

Statute Amended or Added: Adds Sections 28.012, 28.025(b-20), and 1001.109, Education Code. Adds Sections 1701.253(n) and 1701.268, Occupations Code

Summary: This bill requires the State Board of Education (SBOE), the Texas Commission on Licensing and Regulation, and the Texas Commission on Law Enforcement (TCOLE) to provide instruction regarding interaction between civilians and peace officers in public schools, driver education courses, and peace officer training.

Change from current law: The SBOE and the TCOLE must enter into a memorandum of understanding that establishes each agency's respective responsibilities in developing the following:

- Instruction, including curriculum and instructional modules, on proper interaction with peace officers during traffic stops and other in-person encounters
- A training program, including training and testing materials, on proper interaction with civilians during traffic stops and other in-person encounters

The SBOE must adopt rules to include the instruction in one or more courses in the required curriculum for students in grade levels 9-12. Subject to rules adopted by the SBOE, a school district or open-enrollment charter school may tailor instruction as appropriate for the district's or school's community. In tailoring the instruction, the district or school must solicit input from local law enforcement agencies, driver training schools, and the community.

The instruction and the training program must include information regarding the following:

- The role of law enforcement and the duties and responsibilities of peace officers
- A person's rights concerning interactions with peace officers;
- Proper behavior for civilians and peace officers during interactions;
- Laws regarding questioning and detention by peace officers, including any law requiring a person to present proof of identity to a peace officer, and the consequences for a person's or officer's failure to comply with those laws; and
- How and where to file a complaint against or a compliment on behalf of a peace officer

As part of the minimum curriculum requirements, the TCOLE must require an officer to complete a civilian interaction training program not later the second anniversary of the date the officer is licensed unless the officer completes the program as part of the officer's basic training course.

The TCOLE by rule must require that information relating to law enforcement procedures for traffic stops be included in the curriculum of each driver education course and driving safety course. The curriculum must include a demonstration of the proper actions to be taken during a traffic stop and information regarding the following:

- The role of law enforcement and the duties and responsibilities of peace officers
- A person's rights concerning interactions with peace officers
- Proper behavior for civilians and peace officers during interactions
- Laws regarding questioning and detention by peace officers, including any law requiring a person to present proof of identity to a peace officer, and the consequences for a person's or officer's failure to comply with those laws
- How and where to file a complaint against or a compliment on behalf of a peace officer

Effective Date: September 1, 2017; applies beginning with the 2018-2019 school year

Action required for 2017-18 school year: The SBOE must adopt rules to include the instruction in one or more courses in the required curriculum for students in grade levels 9-12.

Implementation required beyond 2017-18 school year: Subject to rules adopted by the SBOE, high school students must complete instruction on proper interaction with peace officers during traffic stops and other in-person encounters.

Do rules need to be adopted? Yes. SBOE is required to adopt rules to include the instruction in one or more courses in the required curriculum for students in grade levels 9-12.

Does this expressly apply to charters? Yes. The bill applies to charters as they are subject to the graduation requirements in TEC, §28.025.

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 264

Statute Amended or Added: Amends Subsections 28.015(b) and (c), Education Code

Summary: This bill removes a requirement that certain information be included in public outreach materials related to curriculum and high school graduation requirements.

Change from current law: The Texas B-On-time loan program was removed from the list of information that must be included in outreach materials. The expiration of TEC, §28.015 is extended from September 1, 2018 to September 1, 2020.

Effective Date: June 1, 2017

Action required for 2017-18 school year: TEA must update materials. No new requirements for school districts.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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.
However, the materials that will be updated will be available on the TEA website.

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 2039

Statute Amended or Added: Adds Section 28.017 and amends Section 38.0041, Education Code. Amends Section 402.035(h), Government Code

Summary: This bill requires TEA, in cooperation with the Human Trafficking Prevention Task force, to develop sexual abuse and sex trafficking prevention module(s) that may be used in a school district's health curriculum. Additionally, the bill adds sex trafficking to sexual abuse prevention training, policy, district improvement plan and mandatory child abuse reporting requirements in TEC §38.0041.

Change from current law: The commissioner, in cooperation with the human trafficking prevention task force and any other persons the commissioner considers appropriate, must develop one or more sexual abuse and sex trafficking instructional modules that a school district may use in the district's health curriculum.

The module or modules must emphasize compassion for victims of sexual abuse or sex trafficking and the creation of a positive reentry experience for survivors of sexual abuse or sex trafficking into schools. The modules may include the following:

- Information on the different forms of sexual abuse and assault, sex trafficking, and risk factors for sex trafficking
- The procedures for reporting sexual abuse and sex trafficking or suspected sexual abuse or sex trafficking
- Strategies for sexual abuse and assault prevention and overcoming peer pressure
- Information on establishing healthy boundaries for relationships, recognizing potentially abusive or harmful relationships, and avoiding high-risk activities

Before the beginning of each school year, a school district that elects to use a sexual abuse and sex trafficking awareness instructional module in the district's health curriculum must provide written notice to the parent of each student enrolled in the district that includes all of the following:

- A statement that the district will provide instruction relating to sexual abuse and sex trafficking awareness to students enrolled in the district
- A description of the material that will be used in providing instruction to students
- A statement that the parent has the right to review the material and remove the parent's student from the instruction

If a school district does not comply with the requirements to provide written notice to parents about the use of sexual abuse and sex trafficking prevention modules, a parent of a student enrolled in the district may file a complaint in accordance with the district's local grievance procedures.

A school district may collaborate with local law enforcement and outside consultants with expertise in the prevention of sexual abuse and sex trafficking to create the required policy addressing sexual abuse, sex trafficking, and other maltreatment of children and to create a referral protocol for high-risk students.

Effective Date: June 12, 2017; applies beginning with the 2017-2018 school year.

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 728

Statute Amended or Added: Adds Section 28.018, Education Code

Summary: This bill requires the State Board of Education (SBOE) to establish an advanced computer science program for high school students that permits students to earn advanced math or science credit by successfully completing an advanced computer science course and under which participating districts would implement rigorous standards for advanced computer science courses that are focused on the creation and use of software and computing technologies.

Change from current law: Current law requires students graduating under the Foundation High School Program to complete at least three credits in mathematics, to include one credit in Algebra I, one credit in geometry, and one credit in an advanced mathematics course. In addition, students graduating under the Foundation High School Program must complete at least three credits in science, to include one credit in biology, one credit in any advanced science course, and one credit in Integrated Physics and Chemistry (IPC) or an additional advanced science course.

This bill requires the SBOE to, by rule, develop and implement a program to allow students graduating under the Foundation High School Program to satisfy an advanced mathematics credit or an advanced science credit by successfully completing an advanced computer science course.

This bill requires participating school districts to implement rigorous standards, in accordance with rules adopted by the SBOE, for advanced computer science courses that are focused on the creation and use of software and computing technologies.

Effective Date: May 26, 2017; Implementation begins with the 2018-2019 school year.

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: The SBOE must ensure that students have options to satisfy an advanced mathematics credit or an advanced science credit by successfully completing an advanced computer science course. The SBOE must also ensure the availability of advanced computer science courses that are focused on the creation and use of software and computing technologies.

Do rules need to be adopted? Yes. The SBOE must adopt rules not later than September 1, 2018. The bill requires the commissioner to adopt rules as necessary to administer this legislation.

Does this expressly apply to charters? The bill does apply to charters to the extent that charter schools are subject to graduation requirements in TEC §28.025.

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 1318

Statute Amended or Added: Adds Sections 28.020 and 44.904, Education Code

Summary: This bill authorizes math innovation zones, which gives the Commissioner the authority to designate a school or district as a zone, and to award grants to support implementation of innovative math instruction on the campus. Additionally, it provides some flexibility with accountability to reduce interventions. The bill also authorizes the Commissioner to structure and approve pay-for-success programs and to evaluate the effectiveness of such programs.

Change from current law: It adds math innovation zones to the pay for success components.

Effective Date: September 1, 2017

Action required for 2017-18 school year: The Agency should designate select school campuses as mathematics innovation zones. Designated campuses would be eligible to receive grant funds from the commissioner for the purpose of implementing innovative mathematics instructional models. These grants would serve as an incentive for program adoption, assisting school districts and charter schools with complicated logistics, including technology deployment, instructional materials adoption, and teacher training. A school district or open-enrollment charter school must apply for the math zone designation in order to receive funding.

Implementation required beyond 2017-18 school year: This work should continue over the biennium and will then be evaluated in the next session.

Do rules need to be adopted? Yes. Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 28.020, Education Code) and SECTION 2 (Section 44.904, Education Code) of this bill.

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

For further information, please contact: Andrew Hodge, Social Impact Bond and Math Innovation Zone, (512) 475-3527

HB 657

Statute Amended or Added: Amends Section 28.0211, Education Code

Summary: Relates to a new time frame by when ARD committees must meet to review a student's IEP following the student's failure to perform satisfactorily on the first administration of the state assessment.

Change from current law: Subsection (i) requires a student's ARD committee to meet prior to the second administration of the state assessment if the student fails to perform satisfactorily on the first administration to determine the manner in which the student will participate in an accelerated instruction program and whether the student will be promoted or retained. Subsection (i-1) permits a student's ARD committee to decide to promote the student to the next grade level if the committee concludes that the student made sufficient progress in the measurable academic goals contained in his/her IEP. The school would not be required to administer a retest to the student who is promoted based on the ARD committee's decision. Subsection (i-2) requires school districts, by September 1 of each year, to notify the parent or person standing in parental relation to a student eligible for special education of the options of the ARD committee under Subsections (i) and (i-1) if the student does not perform satisfactorily on an assessment instrument.

Effective Date: May 29, 2017

Action required for 2017-18 school year: Districts must begin following the new requirements outlined above.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? 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

For further information, please contact: Special Populations, (512) 463-9414

HB 789

Statute Amended or Added: Adds Subsection 28.023(h), Education Code

Summary: Currently, TEC §28.023 allows districts to advance students one grade level in the primary grades and to award credit at the secondary grades based on performance on an examination approved by the local board of trustees. Statute requires a student to score at least 80% on an approved credit by examination (CBE) for each subject or course to be promoted or to earn credit. This bill allows Highland Park ISD to establish a higher minimum score on a credit by exam for acceleration or credit.

Change from current law: This bill allows the Highland Park ISD board of trustees to establish a higher minimum score on a credit by exam for acceleration or credit than is currently articulated in statute. The score must be established before the beginning of a school year for exams to be administered in the school year and must apply for at least the entire school year. The bill would limit a minimum score to no greater than the 90th percentile.

Effective Date: June 15, 2017; Applies beginning with the 2018-2019 school year

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 826

Statute Amended or Added: Amends Subsection 28.025(b-2), Education Code

Summary: This bill eliminates the sequencing requirements for English language arts and mathematics courses required for graduation on the Foundation High School Program.

Change from current law: Previously, TEC §28.025(b-2) required a student on the Foundation High School Program to successfully complete English I, II, and III prior to enrolling in an advanced English course and successfully complete Algebra I and Geometry prior to enrolling in an advanced mathematics course.

This legislation would amend TEC §28.025(b-2) to remove the sequencing requirements for enrollment in the advanced English and advanced mathematics courses required for graduation.

Effective Date: May 29, 2017; applies beginning with the 2017-2018 school year

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. SBOE rules for graduation in 19 TAC Chapter 74, Subchapter B, would need to be amended to align with the change to statute.

Does this expressly apply to charters? Yes. This applies to charter schools as charter schools are subject to the high school graduation requirements under TEC §28.025.

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 671

Statute Amended or Added: Adds Subsection 28.025(b-21), Education Code

Summary: This bill would allow a student to earn one credit of the two-credit graduation requirement for languages other than English by successfully completing a dual language immersion program in elementary school.

Change from current law: The State Board of Education must adopt criteria to allow a student to earn one credit of the two-credit graduation requirement for languages other than English by successfully completing a dual language immersion program in elementary school.

Effective Date: May 22, 2017

Action required for 2017-18 school year: Districts must allow students to earn one credit of the two-credit graduation requirement for languages other than English by successfully completing a dual language immersion program in elementary school.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. The SBOE must adopt criteria to allow a student to earn one credit of the two-credit graduation requirement for languages other than English by successfully completing a dual language immersion program in elementary school.

Does this expressly apply to charters? The bill applies to students enrolled in 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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 463

Statute Amended or Added: Amends Sections 12.104, 28.025(c-6), 28.0258(e) and (l), 28.0259(e), and 39.025 and adds Sections 28.02541 and 28.02591, Education Code

Summary: This bill extends the expiration of Individual Graduation Committees (IGCs) to September 1, 2019. The bill requires the THECB, in coordination with TEA, must collect longitudinal data relating to the post-graduation pursuits of each student who is awarded a diploma based on the determination of an individual graduation committee and to report to the legislature every even-numbered year. Finally, the commissioner must, by rule, establish a procedure to determine whether a student who entered the ninth grade before the 2011-2012 school year may qualify to graduate and receive a high school diploma.

Change from current law: Currently, TEC §28.0258 allows eligible students who have met curriculum requirements for graduation but who have not yet performed satisfactorily on no more than two of the required state end-of-course assessments to be considered by an individual graduation committee for graduation under certain circumstances. This option would have expired on September 1, 2017.

The option now expires September 1, 2019.

The THECB, in coordination with TEA, must collect longitudinal data relating to the post-graduation pursuits of each student who is awarded a diploma based on the determination of an individual graduation committee, including whether the student

- enters the workforce;
- enrolls in an associate degree or certificate program at a public or private institution of higher education;
- enrolls in a bachelor's degree program at a public or private institution of higher education; or
- enlists in the armed forces of the United States or the Texas National Guard.

Not later than December 1 of each even-numbered year, the THECB must provide a report to the legislature that includes a summary compilation of the data presented in a manner that does not identify an individual student.

The commissioner must, by rule, establish a procedure to determine whether a student who entered the ninth grade before the 2011-2012 school year may qualify to graduate and receive a high school diploma.

This option applies only to a student who successfully completed the curriculum requirements for high school graduation applicable to the student when he or she entered the ninth grade, but who has not performed satisfactorily on an assessment instrument or part of an assessment instrument required for graduation, and who has been administered the assessment instrument or part of the assessment instrument at least three times including an alternate assessment instrument offered under TEC, §39.025(c-1).

The commissioner must designate the school district in which a student is enrolled or was last enrolled to make the decision regarding whether the student qualifies to graduate and establish criteria for school districts to develop recommendations for alternative requirements by which a student may qualify to graduate and receive a high school diploma.

In adopting rules the commissioner may authorize as an alternative requirement an alternative assessment instrument and performance standard for that assessment instrument, work experience, or military or other relevant life experience.

A school district's decision regarding whether the student qualifies to graduate and receive a high school diploma would be final and could not be appealed.

Effective Date: June 9, 2017

Action required for 2017-18 school year: School districts must implement procedures to determine whether a student who entered the ninth grade before the 2011-2012 school year may qualify to graduate and receive a high school diploma.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. The commissioner must, by rule, establish a procedure to determine whether a student who entered the ninth grade before the 2011-2012 school year may qualify to graduate and receive a high school diploma. The THECB must adopt rules as necessary to implement the new requirement to collect longitudinal data relating to the post-graduation pursuits of each student who is awarded a diploma based on the determination of an individual graduation committee.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. The THECB, in coordination with TEA, must collect longitudinal data relating to the post-graduation pursuits of each student who is awarded a diploma based on the determination of an individual graduation committee.

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 160

Statute Amended or Added: Adds Section 29.0011, Education Code

Summary: This bill prohibits the commissioner from adopting or implementing an indicator in the monitoring system based solely on the aggregated number or percentage of students receiving special education services.

Changes from current law: This is new law that expressly prohibits the commissioner or TEA from adopting or implementing a performance indicator in any monitoring system that solely measures the aggregated number or percentage of enrolled students in a school district or open-enrollment charter school who receive special education services. The bill stipulates that this prohibition does not prohibit or limit the commissioner or TEA from meeting requirements under 20 U.S.C. Section 1418 (d) with respect to the (a) identification of children as children with disabilities, including the identification of children as children with particular impairments; (b) placement of children with disabilities in particular educational settings; and (c) incidence, duration, and type of disciplinary actions taken against children with disabilities, including suspensions and expulsions. This section also does not prohibit reporting required under 20 U.S.C. Section 1416(a)(3)(C) regarding the percentage of school districts with disproportionate representation of racial and ethnic groups in special education and in specific disability categories.

Effective Date: May 22, 2017

Action required for 2017–18 School Year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Performance Reporting Division, (512) 463-9704

SB 436

Statute Amended or Added: Adds Subsection 29.006(d), (e), (f), (g), and (h), Education Code

Summary: Relates to the operation of the Continuing Advisory Committee (CAC)

Change from current law: The CAC must now adhere to requirements at Chapter 551 of the Government Code, related to open meetings. Additionally, the CAC must have in place procedures to encourage public comment at CAC meetings and must develop a policy to encourage public participation. The CAC must post the following information on the TEA website: CAC contact information, including an e-mail address; notice of each CAC open meeting; minutes of each CAC open meeting; and guidance on how to submit public comments. The CAC must also now submit a report to the legislature with recommended changes to state law and agency rules related to special education, as well as the CAC's policy on encouraging public participation, no later than January 1 of each odd-numbered year.

Effective Date: September 1, 2017

Action required for 2017-18 school year: The CAC must adhere to Chapter 551 of the Government Code and must develop and implement procedures related to public comments.

Implementation required beyond 2017-18 school year: The CAC must develop a report for the legislature

Do rules need to be adopted? No

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: contact information for the CAC, including an e-mail address; notice of each open meeting of the committee; minutes of each open meeting of the committee; and guidance concerning how to submit public comments to the committee.

For further information, please contact: Special Populations, (512) 463-9414

SB 748

Statute Amended or Added: Amends Sections 29.011, 29.0112, and 29.017, Education Code

Summary: Relates to postsecondary transition for students who are eligible for special education services. Amends training requirements for designees on transition and employment services. Amends requirements related to the transition and employment guide. Implements new notice requirements for students and parents to be provided one year prior to the student's 18th birthday. Requires the agency to develop and post a model form related for use in providing the notice.

Change from current law: Section §29.011 now includes revised/additional requirements related to postsecondary transition services and requires the student's ARD committee to review a student's transition services at least annually. The agency must also now post to its website a list of services and public benefits to which a student may be referred. The section also has new training requirements for designees on transition and employment services and requires the agency, with stakeholder input, to review and update, as needed, the training requirements at least once every four years.

Section 29.0112(b) and (e) are amended to revise requirements related to the transition and employment guide and to revise requirements for when districts must provide parents with information on accessing the guide.

Section 29.017 is changed by amending Subsections (c) and (d) and adding Subsections (c-1), (c-2), (c-3), (e), and (f) to require districts to provide written notice to parents of students with disabilities and to students with disabilities one year prior to the students' 18 birthdays. Students' IEPs must include a statement indicating that the district provided said notice. Additionally, when parents and students receive notice of transfer of rights when students turn 18, the notice must include information and resources regarding guardianship, alternatives to

guardianship, including supported decision-making agreements, and other supports and services that may enable the student to live independently. The agency must develop and post model forms for use in meeting the new requirements in the Section.

Effective Date: June 9, 2017. The Act applies beginning with the 2018-2019 school year.

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? Yes. Commissioner rules, 19 TAC §89.1049, regarding the rights of parents of adult students, and §89.1055, regarding the content of the IEP will need to be amended.

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. The commissioner must develop and post on the TEA website a list of services and public benefits for students with disabilities transitioning to post-secondary life, as well as a model form for school districts to use in notifying students and parents of certain rights and resources.

For further information, please contact: Special Populations, (512) 463-9414

SB 2080

Amends Section 29.012, Education Code

Summary: SB 2080 requires each school district and open-enrollment charter school to include in the district's or school's Public Education Information Management System (PEIMS) report the number of children with disabilities residing in a residential facility who are required to be tracked by the Residential Facility Monitoring (RFM) System and receive educational services from the district or school. The addition of the Residential Facility (RF) Tracker data to the TSDS Application would result in modifications to the TSDS data collection system. The data currently collected by the RF Tracker application would be moved to the TSDS Application. This would eliminate the freestanding RF Tracker application which will significantly reduce the amount of manual data entry required to enter data into a separate application

Change from current law: This is a new statute to migrate RF Tracker to a free-standing application in the TSDS Application.

Effective Date: September 1, 2017. This provision applies beginning with the 2017-18 school year.

Action required for 2017-18 school year: None. The data submission process for school districts and charter schools will remain the same.

Implementation required beyond 2017-18 school year: TEA is working to consolidate RF Tracker into TSDS.

Do rules need to be adopted? Yes, Commissioner rule, 19 TAC §97.1072 will need to be reviewed and updated accordingly.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? There are no new reporting requirements for TEA/school districts. SB 2080 changes the system in which school districts and charter schools report the data.

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

For further information, please contact: School Improvement, (512) 463-7582

HB 1569

Statute Amended or Added: Adds Subsections 29.012(f) and (g), Education Code

Summary: Relates to reporting requirements of residential facilities.

Change from current law: Residential facilities must provide LEAs responsible for educational services to a student placed in the facility any information retained by the facility from the student's education records, including records related to special education eligibility or services (including behavioral intervention plans), school-related disciplinary actions, any other documents related to the student's educational needs, and any other behavioral history information regarding the student that is not confidential under another provision of law. The facility must also provide the student's record of convictions or the student's probation, community supervision, or parole status if the information is needed to provide educational services to the student. Juvenile pre-adjudication secure detention facilities and juvenile post-adjudication secure correctional facilities are excluded from this requirement.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Affected residential facilities must begin providing LEAs with the information required by the statute.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? 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

For further information, please contact: Special Populations, (512) 463-9414

HB 1556

Statute Amended or Added: Amends Section 29.015 and adds Section 29.0151, Education Code. Amends Sections 107.031 and §263.0025, Family Code

Summary: This bill clarifies education decision-making and who may serve as a "parent" for special education purposes for students in the Texas Department of Family and Protective Services (DFPS) managing conservatorship. Additionally, the bill clarifies requirements for surrogate parents of students who receive special education services and are in DFPS managing conservatorship.

Change from current law: Changes to TEC §29.015 remove the requirement that local educational agencies (LEAs) give preferential treatment to foster parents when assigning a surrogate parent to a student with a disability. Additionally, current requirements that the student be placed with the foster parent for at least 60 days and that the foster parent have no interest that conflicts with the child's interests have been removed.

TEC §29.015 is retitled "Special Education Decision-Making for Children in Foster Care" and now permits foster parent to act as the "parent" of a child with a disability under the IDEA if the DFPS is appointed as the temporary or permanent managing conservator of the child, the rights and duties of DFPS to make decisions regarding the child's education have not been limited by court order, and the foster parent agrees to participate in making educational decisions on behalf of the child and completes a training program that complies with minimum standards established by agency rule. This section requires a foster parent who will act as a parent of a child with a disability complete a training program before the next scheduled admission, review, and dismissal (ARD) committee meeting, but not later than the 90th day after the foster parent begins acting as the parent for making education decisions. A school district is not permitted to require a foster parent to retake training to continue serving as the student's parent or to serve as a surrogate parent for another student if the training was provided by DFPS, a school district, an ESC, or any other entity that receives federal funds to provide training to parents. If a foster parent is unwilling or unable to serve as a parent for this purpose, DFPS must notify the LEA no later than the fifth day after the date the child with a disability enrolls in a school.

New TEC §29.0151 applies to a student with a disability for whom DFPS is appointed as the temporary or permanent managing conservator and the rights and duties of DFPS to make decisions regarding the student's education have not been limited by court order. Except as provided for in Texas Family Code §263.0025, an LEA must appoint an individual to serve as the surrogate parent for a student if the LEA is unable to identify or locate a parent for a student with a disability or the foster parent of the student is unwilling or unable to serve as a parent for this purpose. A surrogate parent appointed by an LEA cannot be an employee of the state, the school district, or any entity that is compensated to provide care for the child or have any interest that conflicts with the interests of the child.

Texas Family Code §107.031(c) is amended to add the requirement that a court-certified volunteer advocate complete a training program for surrogate parents who complies with minimum standards established in agency rule before the next scheduled ARD committee

meeting, but not later than the 90th day of beginning to act as the parent for making educational decisions in order for the volunteer advocate to be assigned to act as the child's surrogate parent.

Texas Family Code §263.0025 is retitled "Educational Decision-Making for Children in Foster Care" and is amended to include definitions for "child" and "parent." A foster parent may act as a parent for the child as authorized under IDEA if the rights and duties of DFPS to make decisions regarding the child's education have not been limited by court order, and the foster parent agrees to participate in making educational decisions on the child's behalf and to complete a training program that complies with minimum standards established by agency rule before the next scheduled ARD committee meeting, but not later than the 90th day after beginning to act as the parent for the purpose of making education decisions.

This section also clarifies that TEC, §29.015(b-1), (c), and (d) apply to a foster parent who acts or desires to act as a parent of a student for making special education decisions. Additionally, to ensure the educational rights of a child are protected in the special education process, the court may appoint a surrogate parent for the child if the child's school district is unable to identify or locate a parent or if the child's foster parent is unwilling or unable to serve as a parent for this purpose. The court may appoint a person to serve as a child's surrogate parent if the person is willing to serve in that capacity and is not an employee of the State educational agency, the local educational agency, or any other agency that is involved in the education or care of the child. The court may appoint the child's guardian ad litem or court-certified volunteer advocate as the student's surrogate parent. In appointing a person to serve as the surrogate parent for a child, the court may consider the person's ability to meet the qualifications listed under TEC §29.0151(d)(2)-(8).

If the court prescribes training for a person who is appointed as the surrogate parent, the training program must comply with the minimum standards for training established in rule by the agency.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None for TEA

Implementation required beyond 2017-18 school year: None for TEA

Do rules need to be adopted? Yes. 19 TAC Section 89.1047, relating to the training requirements for foster and surrogate parents, will need to be repealed and replaced.

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

For further information, please contact: Special Populations, (512) 463-9414

SB 2141

Statute Amended or Added: Amends Section 29.0162, Education Code

Summary: Relates to requirements for a nonattorney representative of a student in a special education due process hearing.

Change from current law: Changes to Subsection (b) require the agency to amend rule to address the qualifications and requirements for a nonattorney representative of a student in a special education due process hearing. The amended rule must require, if the representative receives monetary compensation for representation in an impartial due process hearing, that the representative agrees to abide by a voluntary code of ethics and professional conduct during the period of representation and enter into a written representation agreement with the person who is the subject of the special education due process hearing that includes a process for resolving any disputes between the representative and the person. New Subsection (e) clarifies that the written agreement between the client and the representative is confidential.

Effective Date: June 12, 2017.

Action required for 2017-18 school year: The agency must amend rule related to special education due process hearings

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? Yes. 19 TAC Section 89.1175, relating to representation in special education due process hearings, must be amended.

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

For further information, please contact: Office of General Counsel, (512) 463-9720 or Special Populations, (512) 463-9414

HB 3632

Statute Amended or Added: Adds Section 29.0163, Education Code

Summary: Relates to notice of an extension of the timeline for a parent to request a special education impartial due process hearing in certain circumstances.

Change from current law: Subsection (a) provides a definition of service member. Subsection (b) explains that the timeline for the parent of a student to request an impartial due process hearing may be tolled if the parent is an active duty service member and is entitled to a tolling of statutes of limitation under 50 U.S.C. Section 3936. Subsection (b) also requires the

agency to include this exception in the *Notice of Procedural Safeguards*. Subsection (c) requires the agency to adopt rules implementing the Section.

Effective Date: June 15, 2017

Action required for 2017-18 school year: The agency must revise the *Notice of Procedural Safeguards* and adopt rule.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? Yes. 19 TAC Section 89.1151 will need to be amended.

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

For further information, please contact: Office of General Counsel, (512) 463-9720 or Special Populations, (512) 463-9414

SB 1398

Statute Amended or Added: Amends Section 29.022, Education Code

Summary: Relates to the placement and operation of cameras in certain special education settings.

Change from current law: Changes to Subsection (a) and additions of Subsections (a-1), (a-2), (a-3) limit the placement of cameras to those settings found in the request and provide clarification of who may make a request for cameras to be placed. Changes to Subsection (b) define the timeline for how long a camera must be in operation in a given setting and provides for notification of parents when cameras in a given setting will no longer be used. Changes to Subsection (c) and addition of (c-1) clarify where in a setting cameras may be placed. Changes to Subsection (d) requires the LEA to notify LEA staff and parents prior to activation of a camera. Changes to Subsection (e) reduce the length of time that recordings must be kept from six months to three. New Subsection (e-1) clarifies that a recording must be kept for longer if it is needed in order to address an incident. Changes to Subsection (i) and addition of (i-1) clarify who may view a recording. Changes to Subsection (l) clarify the topics that an LEA's related policies must address with regard to cameras and places a timeline by when cameras must be put into place following a valid request. New Subsections (m), (n), and (o) require the agency to review, upon request, an LEA's denial to place cameras or to release a copy of a recording and establish guidelines for how the agency must respond to the request, as well as provide for expedited reviews. New Subsections (p) and (q) require the agency to adopt rules to implement Subsections (m), (n), and (o) and to collect data on the number of requests made, authorized, and denied to/by the agency. New Subsection (r) clarifies that a video recording under TEC §29.022 is a governmental record only for purposes of Section 37.10, Penal Code. New Subsection (s) clarifies that the Section applies to cameras in place during the school year and

during ESY. New Subsection (t) clarifies that cameras do not need to be in operation in a setting if there are no students present. New Subsection (u) provides definitions for the Section.

Effective Date: June 12, 2017

Action required for 2017-18 school year: LEAs will need to revise their related policies and will need to adhere to the new requirements. The Agency will need to develop rule as required by the statute.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? Yes. The existing camera rule, 19 TAC §103.1301, must be amended, and new 19 TAC §103.1302, regarding reviews, must be adopted.

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

For further information, please contact: Special Populations, (512) 463-9414

HB 21, Section 3, 1CS

Statute Amended or Added: Adds Sections 29.026 and 29.027, Education Code

Summary: Section 3 of this bill requires the commissioner of education to establish a new grant program to award grants to school districts and open-enrollment charter schools that provide innovative services to students with autism. This section also requires the commissioner of education to establish a new grant program to school districts and open-enrollment charter schools that provide innovative services to students with dyslexia.

Change from current law: HB 21, Section 3 establishes that a program is eligible for a grant if the program meets all of the following criteria:

- Operates as an independent campus or a separate program from the campus in which the program is located, with a separate budget
- The program incorporates evidence-based and research-based design, the use of empirical data on student achievement and improvement, parental support and collaboration, the use of technology, meaningful inclusion, and the ability to replicate the program for students statewide
- The program gives priority for enrollment to students with autism or dyslexia
- The program limits enrollment and services to students who are at least three years of age and younger than nine years of age or are enrolled in the third grade or a lower grade level
- The program allows a student who turns nine years of age or older during a school year to remain in the program until the end of that school year

The bill prohibits a school district or charter school from charging a fee for the program, other than those fees authorized by law for students in public schools; requiring a parent to enroll a child in the program; allowing an ARD committee to place a student in the program without the written consent of the student's parent or guardian; or continuing the placement of a student in the program after the student's parent or guardian revokes consent, in writing, to the student's placement in the program.

The bill permits a program to alter the length of the school day or school year or the number of minutes of instruction received by students; coordinate services with private or community-based providers; allow the enrollment of students without disabilities or with other disabilities, if approved by the commissioner; and adopt staff qualifications and staff to student ratios that differ from the applicable requirements in Texas Education Code.

The commissioner is required to create an external panel of stakeholders, including parents of students with disabilities, to provide assistance in the selection of applications for the award of grants.

The commissioner is required to award grants to fund not more than 10 autism programs and 10 dyslexia programs that meet the eligibility criteria. In selecting programs, the commissioner must prioritize programs that are collaborations between multiple school districts, multiple charter schools, or school districts and charter schools and selected programs must reflect the diversity of the state. The commissioner must select programs and award grant funds to those programs beginning in the 2018-2019 school year. The selected programs are to be funded for two years.

A grant awarded to a school district or open-enrollment charter school is in addition to the Foundation School Program funds that the district or charter school is otherwise entitled to receive. The commissioner must set aside not more than \$40 million to fund the grants, not more than \$20 million for autism grants and not more than \$20 million for dyslexia grants, from the total amount of funds appropriated for the 2018-2019 fiscal biennium. The commissioner must use \$10 million for each grant program for each school year in the state fiscal biennium. A grant recipient may not receive more than \$1 million for the 2018-2019 fiscal biennium. The commissioner must reduce each district's and charter school's allotment proportionally to account for funds allocated for these grants.

The commissioner and any program selected to receive a grant may accept gifts, grants, and donations from any public or private source, person, or group to implement and administer the program. The commissioner and any program may not require any financial contribution from parents to implement and administer the program.

The commissioner may consider a student with autism or a student with dyslexia who is enrolled in a grant-funded program as funded in a mainstream placement, regardless of the amount of time the student receives services in a regular classroom setting.

The sections authorizing these grant programs expire September 1, 2021.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: The commissioner must select programs and award grant funds to those programs beginning in the 2018-2019 school year. The selected programs are to be funded for two years.

Do rules need to be adopted? Yes. The commissioner must adopt rules creating an application and selection process for each of the grant programs.

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

For further information, please contact: Autism grants – Special Populations Department, (512) 463-9414; Dyslexia grants - Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 3706

Statute Amended or Added: Amends Sections 29.081 and 29.0822, Education Code

Summary: This bill permits alternative education programs provided by private or public community-based dropout recovery education programs for students at risk of dropping out of school to be offered using an online program that leads to a high school diploma and prepares the student to enter the workforce.

Change from current law: Under current law, school districts are permitted to use a private or public community-based dropout recovery education program to provide alternative education programs for students at risk of dropping out of school.

This bill permits such programs to be offered at a campus or using an online program that leads to a high school diploma and prepares the student to enter the workforce. The bill requires an online dropout recovery education program to

- include as a part of its curriculum credentials, certifications, or other course offerings that relate directly to employment opportunities in Texas;
- employ as faculty and administrators, persons with baccalaureate or advanced degrees;
- provide an academic coach and local advocate for each student;
- use an individual learning plan to monitor each student's progress;
- establish satisfactory requirements for the monthly progress of students according to standards set by the commissioner;
- provide a monthly report to the student's school district regarding the student's progress;
- perform satisfactorily according to performance indicators and accountability standards adopted for alternative education programs by the commissioner; and
- comply with statutory requirements related to compensation education programs and related rules except as otherwise provided by TEC, §29.081(e-2).

Current law permits a school district to apply to the commissioner to provide a flexible school day program for students who have dropped out of school or are at risk of dropping out of

school, attend a campus that is implementing an innovative redesign of the campus or an early college high school under a plan approved by the commissioner, or because of attendance requirements, will be denied credit for one or more classes in which the students have been enrolled.

This bill permits a district, in order to provide a flexible school day program, to allow a student to enroll in a dropout recovery program in which courses are conducted online. The bill establishes that a course designed for a student enrolled in a dropout recovery program in which courses are conducted online would not be required to provide for the same number of instructional hours as required for a course offered in a program that meets the required minimum number of instructional days and the required length of school day.

Effective Date: June 15, 2017; applies beginning with the 2017-2018 school year

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 357

Statute Amended or Added: Amends Section 29.153 (b) , Education Code

Summary: This bill adds a 7th prekindergarten eligibility criterion for the children of a person eligible for the Star of Texas Award which includes a peace officer, firefighter or an emergency medical first responder.

Change from current law: The legislation adds one additional prekindergarten eligibility criterion from the previous six.

Effective Date: June 15, 2017

Action required for 2017-18 school year: Districts and open-enrollment charter schools will be required to serve three- and four-year-old children of a person eligible for the Star of Texas Awards.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? Commissioner rules do not need to be adopted, however, prekindergarten eligibility references will need to be amended in 19 TAC §102.1003, High-Quality Prekindergarten Grant Program.

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

For further information, please contact: Howard Morrison, Early Childhood Education, (512) 936-2546, howard.morrison@tea.texas.gov

HB 1593

Statute Amended or Added: Amends Section 29.168 (b), Education Code

Summary: This legislation adds programs and interventions to the family engagement plan to engage families as part of the High-Quality Prekindergarten Grant program.

Change from current law: The legislation adds a third family engagement requirement to include programs and interventions that engage families in supporting a student's learning at home.

Effective Date: June 15, 2017

Action required for 2017-18 school year: No

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? 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

For further information, please contact: Howard Morrison, Early Childhood Education, (512) 936-2546, howard.morrison@tea.texas.gov

HB 2729

Statute Amended or Added: Adds Section 29.189, Education Code

Summary: Relating to an inventory of credentials and certificates that may be earned by a public high school student through a career and technology education program.

Establishment of a pilot program under which a licensed hospital may offer dual credit courses to public high school students

- The THECB must develop and implement a pilot program under which a licensed hospital may offer dual credit courses to high school students enrolled in a school district in partnership with the district.
- The THECB must select one licensed hospital located in Hidalgo county to participate in the pilot program.
- The licensed hospital must design dual credit courses offered to enable students to earn a variety of certifications, certificates, and degrees, including at least one certification or certificate while the student is in high school. The available credentials must be selected based on
 - the needs of the hospital;
 - the terms of the hospital's agreements with partnering school districts to provide the dual credit courses under the pilot program; and
 - the goal of preparing students for employment in the health care field.
- A student enrolled in a dual credit course offered under the pilot program is entitled to the benefits of the Foundation School Program for the time spent by the student on that course, in accordance with rules adopted by the commissioner of education.
- A student may not be charged for tuition, fees, or required textbooks or other instructional materials for a dual credit course offered under the pilot program. The school district in which the student is enrolled is responsible for the cost of the student's tuition, fees, or required textbooks or other instructional materials for that course to the extent that those amounts are not waived by the licensed hospital.

Change from current law: Creates a pilot program under which a licensed hospital may offer dual credit courses to public high school students

Effective Date: June 9, 2017. Applies beginning with the 2017-2018 school year

Action required for 2017-18 school year: TEA, THECB, and TWC jointly develop and post an inventory of industry-based certifications and credentials that may be earned by public high school's students through a career and technical education program that meet certain criteria.

Implementation required beyond 2017-18 school year: Annually update the inventory and provide a copy of the inventory to schools, districts and public institutions of higher education that offer career and technology education programs.

Do rules need to be adopted? No

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

For further information, please contact: College, Career, and Military Preparation Division;
(512) 936-6060

HB 639

Statute Amended or Added: Adds Section 29.191 and repeals Subsection 29.187(f),
Education Code

Summary: This bill expands school districts' and open-enrollment charter schools' current authority to purchase insurance coverage for the benefit of businesses and students participating in career or technology training programs by allowing school districts and open-enrollment charter schools to purchase health insurance, liability, and automobile coverage for participating students. The bill also provides immunity to students participating in career or technology training programs as if they are volunteers for school districts or open-enrollment charter schools.

Change from current law: See summary above.

Effective Date: May 26, 2017, applies to the 2017-2018 school year.

Action required for 2017-18 school year: None.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: For issues of local applicability, contact the school district or open-enrollment charter school to which the issues apply. Otherwise, contact TEA's Office of General Counsel, (512) 463-9720.

SB 276

Statute Amended or Added: Amends Section 29.259, Education Code

Summary: SB 276 amends the statute to remove the cap of 150 students eligible for charter schools participating in the Adult High School Diploma and Industry Certification Charter School Pilot Program under TEC, §29.259. This bill also requires the commissioner to develop and adopt a performance framework for the charter school pilot program under this section.

Change from current law: Section 1 of the bill amends §29.259, Education Code by amending subsections (d) and (i) to eliminate the cap on students enrolled in the program described by the statute, and to establish additional standards for receiving a high school diploma; and adds subsections (n), (o), (p), (q), and (r): establishing performance frameworks, how the frameworks would be applied, and how schools in this program can be funded.

Section 2 of the bill repeals §12.259(l) (annual evaluation reports)

Section 3 of the bill states that the framework evaluation added in subsection (p) applies beginning with the 2017-2018 school year.

Section 4 of the bill states that subsection (d), as amended by this act, takes effect only if a specific appropriation by the 85th Legislature provides for additional funding for the increase in the number of program participants above 150. SB 1, Article IX, Section 18.29 appropriated \$165,128 for fiscal year 2018 and \$363,280 for fiscal year 2019 out of the Foundation School Fund No. 193 in Strategy A.1.1, FSP - Equalized Operations, to implement the provisions of SB 279. Therefore, TEC, §29.259(d) did take effect.

Effective Date: May 23, 2017

Action required for 2017-18 school year: The commissioner shall develop and adopt performance frameworks for schools under this program; and the commissioner shall evaluate the performance of schools under this program using those frameworks.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. Commissioner rules, 19 TAC Chapter 100 Subchapter AA

Does this expressly apply to charters? Yes, and only to charter schools.

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

For further information, please contact: Charter School Administration, (512) 463-9575 or Office of General Counsel, (512) 463-9720

SB 22

Statute Amended or Added: Adds Subchapter N, Chapter 29, Education Code

Summary: Relating to the establishment of a Pathways in Technology Early College High School (P-TECH) program and to the repeal of the tech-prep program.

Change from current law: The bill would amend the Education Code as it relates to Educational Programs to establish the "Pathways in Technology Early College High School" program (P-TECH). Under the provisions of the bill, the Commissioner of the Texas Education

Agency (TEA) would be required to establish and administer the program for school districts and open-enrollment charter schools. Within six years, students in the program would be permitted to earn their high school diploma and an associate degree, two-year postsecondary certificate, or industry certification as well as participate in work-based training. The program would be required to be provided at no cost to participating students.

P-TECH programs would be required to have articulation agreements and memoranda of understanding between schools and institutions of higher education and regional industry partners or businesses. The Commissioner of TEA would be required to collaborate with the Texas Workforce Commission and the Texas Higher Education Coordinating Board to develop and implement a plan for P-TECH that addresses regional workforce needs; credit transfer policies between institutions of higher education; and internships, apprenticeships, and other work-based programs.

While enrolled in the P-TECH program, students would be entitled to the benefits of the Foundation School Program in proportion to the amount of time the student spent on high school courses. The bill also would require the Commissioner of TEA to establish a grant program to help support school districts and open-enrollment charter schools in implementing the P-TECH program using funds appropriated for that purpose. For the 2018-19 biennium, the bill would limit the total grant award amount to \$5 million; this limitation would expire on December 1, 2019. The Commissioner would not be permitted to use more than 3 percent of funds appropriated for the grant program for administrative costs and for providing technical assistance and support. The Commissioner also would be required to create criteria for designation as a P-TECH school. Designation would be required for participation in the grant program.

The bill would eliminate the tech prep program.

Effective Date: September 1, 2017, but the provisions of the bill would not apply until the 2018-19 academic year.

Action required for 2017-18 school year: Ensure advisory board is appointed, begin rule making, draft and execute grants.

Implementation required beyond 2017-18 school year: Run designation process, continuing providing grants and supporting grantees

Do rules need to be adopted? No

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

For further information, please contact: College, Career, and Military Preparation Division; (512) 936-6060

SB 1843

Statute Amended or Added: Adds Section 29.9015, Education Code

Summary: Relating to providing an opportunity for public high school students in grades 10 through 12 to take the Armed Services Vocational Aptitude Battery test or an alternative vocational aptitude test.

Change from current law: SB 1843 amends current law relating to providing an opportunity for public high school students in grades 10 through 12 to take the Armed Services Vocational Aptitude Battery test or an alternative vocational aptitude test.

Effective Date: June 15, 2017

Action required for 2017-18 school year: Except as provided by Subsection (d) or (e), each school year each school district and open-enrollment charter school shall provide students in grades 10 through 12 an opportunity to take the Armed Services Vocational Aptitude Battery test and consult with a military recruiter.

Not later than August of each year, the agency shall publish a list of school districts and open-enrollment charter schools that elected under Subsection (d) or (e) not to provide the Armed Services Vocational Aptitude Battery test during the previous school year.

Implementation required beyond 2017-18 school year: Not later than August of each year, the agency shall publish a list of school districts and open-enrollment charter schools that elected under Subsection (d) or (e) not to provide the Armed Services Vocational Aptitude Battery test during the previous school year.

Do rules need to be adopted? No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? List of school districts and open-enrollment charter schools that elected under Subsection (d) or (e) not to provide the Armed Services Vocational Aptitude Battery test during the previous school year.

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

For further information, please contact: College, Career, and Military Preparation Division; (512) 936-6060

SB 1901

Statute Amended or Added: Adds Section 29.9071, Education Code

Summary: This bill establishes Texas Military Heroes Day in public schools and requires appropriate instruction as determined by each school district.

Change from current law: To educate students about the sacrifices made by brave Texans who have served in the armed forces of the United States, the governor must designate a day to be known as Texas Military Heroes Day in public schools.

Texas Military Heroes Day must include appropriate instruction, as determined by each school district. Instruction may include the following:

- Information about persons who have served in the armed forces of the United States and are from the community or the geographic area in which the district is located
- Participation, in person or using technology, in age-appropriate learning projects at battlefields and gravesites associated with a person who has served in the armed forces

TEA may collaborate with other state agencies to promote Texas Military Heroes Day.

Effective Date: June 12, 2017; applies beginning with the 2017-2018 school year

Action required for 2017-18 school year: School districts must determine and provide appropriate instruction for Texas Military Heroes Day.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 1566, Section 10

Statute Amended or Added: Adds Section 29.918, Education Code

Summary: This bill adds requirements for plans submitted by school districts and charter schools that describe the manner in which the district or charter school intends to use the compensatory education allotment and the high school allotment for developing and implementing research-based strategies for dropout prevention.

Change from current law: Currently, a school district or open-enrollment charter school with a high dropout rate, as determined by the commissioner, must submit a plan to the commissioner describing the manner in which the district or charter school intends to use the compensatory education allotment and the high school allotment for developing and implementing research-based strategies for dropout prevention.

A school district or open-enrollment charter school, in its plan must now

- design a dropout recovery plan that includes career and technology education courses or technology applications courses that lead to industry or career certification;
- integrate into the dropout recovery plan research-based strategies to assist students in becoming able academically to pursue postsecondary education, including high-quality, college readiness instruction with strong academic and social supports; secondary to postsecondary bridging that builds college readiness skills, provides a plan for college completion, and ensures transition counseling; and information concerning appropriate supports available in the first year of postsecondary enrollment to ensure
- postsecondary persistence and success, to the extent funds are available for the purpose; and
- plan to offer advanced academic and transition opportunities, including dual credit courses and college preparatory courses, such as advanced placement courses.

School districts are permitted to enter into a partnership with a public junior college in order to fulfill a plan.

Effective Date: September 1, 2017

Action required for 2017-18 school year: School districts and charter schools must ensure dropout recovery plans align to new statutory requirements.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 2010

Statute Amended or Added: Adds Section 29.923, Education Code

Summary: This bill requires TEA to collect and make available to school districts information regarding workplace safety training that could be included as a part of the district's curriculum.

Change from current law: TEA must collect and make available to a school district, on request, information regarding workplace safety training that may be included as part of the district's curriculum.

A school district may develop a workplace safety program that provides educators access to workplace safety training information collected by TEA and encourages educators to include the

workplace safety training information in the curriculum of appropriate courses provided to students enrolled in grades 7 through 12.

Effective Date: June 9, 2017; Applies beginning with the 2017-2018 school year

Action required for 2017-18 school year: TEA must make workplace safety training information available to school districts.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 587

Statute Amended or Added: Amends Subsections 30A.002(b) and §30A.052(c), Education Code

Summary: This bill permits a student who is a dependent of a member of the U.S. military who has been deployed or transferred to Texas and who was enrolled in a publicly funded school outside of Texas in the preceding school year to now enroll full-time in the TXVSN without having been enrolled in a public school in Texas in the preceding school year.

Change from current law: Previously, state law allowed students, including U.S. military dependents, who were enrolled in a Texas high school in the preceding school year to enroll full-time in the TXVSN. Military dependents were also permitted to enroll in the TXVSN if they were enrolled in a Texas high school in the preceding year but no longer reside in the state due to military deployment or transfer.

A dependent of a member of the United States military who has been deployed or transferred to Texas and who was enrolled in a publicly funded school outside of Texas in the preceding school year may now enroll full-time in the TXVSN without having been enrolled in a public school in Texas in the preceding school year.

Additionally, the requirement that TEA contract with a regional education service center to operate the TXVSN has been eliminated.

Effective Date: May 26, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. Commissioner's rules related to student eligibility in 19 TAC, §70.1013 would need to be amended to align with the change to statute.

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

For further information, please contact: Digital Learning, (512) 463-9601

SB 1784

Statute Amended or Added: Amends Sections 31.002(1-a), 31.071(c), 31.075, and 31.076(b); repeals Section 31.077; adds Section 31.0711, Education Code

Summary: This bill redefines open-source instructional materials and establishes the conditions under which the state can use content it does not own in open-source instructional materials. Additionally, it requires the commissioner to provide a license for the free use, reuse, modification, or sharing of open-source instructional material by any entity.

Change from current law: Current law does not address the conditions of open-source instructional materials licensing or use of non-state-owned content. The new law defines the conditions under which content not owned by the state can be used in state-developed open-source materials: content not owned by the state can be used if it is in the public domain, may be used under a limitation or exception to copyright law, or is licensed to the state. Such a license must grant the state unlimited authority to modify, delete, combine, or add content and permit the free use and repurposing of the material by any person or entity.

The new law also requires the commissioner to license state-developed open educational resources in a way that allows free use, reuse, modification, or sharing of the resource by any person or entity. It also establishes the conditions under which such use, reuse, modification, or sharing could occur: the entity must keep all copyright notices intact, attribute authorship appropriately, indicate that the material has been modified, not assert or imply agency endorsement, and include a link to the free version of the material that was created by the state. An exception to these requirements would be allowed if the commissioner requests that the copyright notice be removed. Additionally, the bill establishes that the rights granted to a user are automatically terminated if the user fails to comply with the license requirements. If that occurs, the commissioner is permitted to specify requirements to reinstate a user's rights.

The new law also specifies that the attorney general will represent the agency in an action brought as a result of the new licensing requirements.

The bill repeals the requirement that the commissioner develop a schedule for the adoption of state-developed open-source instructional materials.

Effective Date: June 15, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. Commissioner's rules related to state-developed open-source instructional materials in TAC Chapter 66, Subchapter BB will need to be amended to align with changes made by this legislation.

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

For further information, please contact: Instructional Materials Division, (512) 463-9601, instructional.materials@tea.texas.gov

SB 801

Statute Amended or Added: Amends Sections 31.023 and 31.035(a), Education Code

Summary: This bill adds the requirement that instructional materials adopted by the State Board of Education be suitable for the intended subject and grade level.

Change from current law: Currently, TEC §31.023(b) requires that state-adopted instructional materials be free from factual errors.

In addition to being free from factual errors, each instructional material on the SBOE adoption list must now be

- suitable for the subject and grade level for which the instructional material was submitted; and
- reviewed by academic experts in the subject and grade level for which the instructional material was submitted.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: Beginning with materials reviewed in summer 2018, state-adopted instructional materials must be suitable for the subject and grade level for which the instructional material was submitted; and reviewed by academic experts in the subject and grade level for which the instructional material was submitted.

Do rules need to be adopted? Yes. SBOE will need to amend rules in 19 TAC Chapter 66 to align with requirements of this legislation.

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

For further information, please contact: Instructional Materials Division, (512) 463-9601
instructional.materials@tea.texas.gov

HB 3526

Statute Amended or Added: Amends Sections 31.001; 31.004(b); 31.005; 31.021; 31.0211; 31.0211(a) and (b); 31.0212; 31.0212(a), (b), (d), and (e); 31.0213; 31.0214(a); 31.0215; 31.0215(b) and (c); 31.0231(b); 31.029(a); 31.031(a); 31.071(e); 31.101(f); 31.151(d); 41.124(c); and 43.001(d), Education Code. Adds Chapter 31, Subchapter B-2 and Chapter 32, Subchapter G, Education Code. Amends Section 403.093(d), Government Code

Summary: This bill changes the name of the instructional materials fund and the instructional materials allotment and creates an instructional materials web portal. It also permits the establishment of a technology-lending grant program.

Change from current law: The names of the instructional materials fund and the instructional materials allotment are changed to the technology and instructional materials fund and the technology and instructional materials allotment.

The new law requires the commissioner to create an instructional materials portal, allows the commissioner to pay for it from the instructional materials fund, and defines the characteristics and requirements of the portal. The portal must include general information such as price, computer system requirements, and any other relevant specifications about materials on the State Board of Education adopted list and on the commissioner's adopted list and material submitted by a publisher for inclusion in the web portal. For materials submitted for inclusion in the web portal, this information must also include the results of an analysis conducted by a third party, with which the commissioner contracts to evaluate the quality of the material and determine the extent to which the material covers the Texas Essential Knowledge and Skills for the appropriate subject and grade level. The portal must also include a repository of open educational resources.

The bill also allows the commissioner to use up to \$25 million of the technology and instructional materials fund to provide grants to school districts for the purchase of technological equipment for lending to students to allow them greater access to instructional materials. If the grant program is implemented, the commissioner must conduct a review of the grant program and provide a legislative report not later than January 1, 2019.

Effective Date: June 12, 2017

Action required for 2017-18 school year: The agency must begin a request for proposals process to implement the creation of the instructional materials web portal and, at the commissioner's discretion, establish the technology-lending grant program.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Commissioner must adopt rules as necessary to implement the subchapter establishing the instructional materials web portal including to establish a procedure by which a publisher may submit instructional materials for inclusion in the web portal. While not explicitly required, the SBOE and the commissioner will need to amend rules in 19 TAC Chapter 66 related to instructional materials to align with changes made to statute.

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes, if the technology-lending grant program is implemented, TEA must provide a legislative report on that program no later than January 1, 2019.

Does this bill require the agency or ISD to post information to their website? Yes, the agency is required to provide information on instructional materials for the portal that is established by new TEC, Chapter 31, Subchapter B-2.

For further information, please contact: Instructional Materials Division, (512) 463-9601 instructional.materials@tea.texas.gov

SB 810

Statute Amended or Added: Amends Sections 31.001; 31.002(1) and (1-a); 31.004(b); 31.005; 31.021, 31.0211; 31.0211(a), (b), and (c); 31.0212; 31.0212(a), (b), (d), and (e); 31.0213; 31.0214(a), 31.0215; 31.0215(b) and (c); 31.022; 31.0231(b), 31.0241; 31.0241(b); 31.0242; 31.026(d); 31.0261; 31.027(c); 31.029(a); 31.031(a), 31.071; 31.072; 31.073; 31.074; 31.075; 31.076(b); 31.077; 31.101; 31.103(d), 31.104(b), (g) and (h); 31.151(d) and (e); 32.001(b); 41.124(c); 43.001(d); 51.451; 51.452; 51.453; and 51.454(a), Education Code. Adds Subchapter B-2, Chapter 31 and Sections 61.0668 and 61.0669. Amends Section 403.093(d), Government Code

Summary: This bill changes the term "open-source" to "open educational resource" throughout TEC Chapter 31 and creates an instructional materials web portal. It also changes the names of the instructional materials fund (IMF) and allotment to include "and technology."

Additionally, the bill creates new requirements for institutions of higher education regarding open educational resources, creates a grant program to encourage the creation of open educational resources by higher education faculty members, and establishes a feasibility study on a state repository of open educational resources.

Change from current law: Current law uses the following terminology: open-source instructional material, instructional materials fund, and instructional materials allotment. This bill includes the terms open educational resource instructional material, instructional materials and technology fund, and instructional materials and technology allotment.

The new law defines open educational resources as “teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that allows for free use, reuse, modification, and sharing with others, including full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge,” which is a change from the current definition of open-source instructional materials.

The commissioner is required to create an instructional materials portal and is allowed to pay for the portal from the instructional materials fund. The bill defines the characteristics and requirements of the portal. The portal must include general information such as price, computer system requirements, and any other relevant specifications about materials on the State Board of Education adopted list and on the commissioner’s adopted list and material submitted by a publisher for inclusion in the web portal. For materials submitted for inclusion in the web portal, this information must also include the results of an analysis conducted by a third party, with which the commissioner must contract to evaluate the quality of the material and determine the extent to which the material covers the Texas Essential Knowledge and Skills for the appropriate subject and grade level. The portal must also include a repository of open educational resources.

The bill also requires institutions of higher education to implement steps that make it easier for students to find courses and sections that require or recommend only free open educational resources. Furthermore, it establishes a new grant program to encourage the creation and use of free open educational resources by higher education faculty and requires the Higher Education Coordinating Board to conduct a feasibility study regarding a state repository of open educational resources.

Effective Date: June 9, 2017

Action required for 2017-18 school year: The agency must begin a request for proposals process for the creation of the instructional materials web portal, which must be in place by September 1, 2018.

Implementation required beyond 2017-18 school year: None.

Do rules need to be adopted? Commissioner may adopt rules as necessary to implement the subchapter establishing the instructional materials web portal and must establish a procedure by which a publisher may submit instructional materials for inclusion in the web portal. While not explicitly required, the SBOE and the commissioner will need to amend rules in Chapter 66 related to instructional materials to align with changes made to statute.

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 agency must post information on instructional materials in the portal that is established by new TEC, Chapter 31, Subchapter B-2.

For further information, please contact: Instructional Materials Division, (512) 463-9601
instructional.materials@tea.texas.gov

HB 2087

Statute Amended or Added: Adds Subchapter D to Chapter 32, Education Code

Summary: This bill concerns the use of personally identifiable information provided to an operator of a website, online service, online application, or mobile application (website) for a school purpose. The bill prohibits targeted advertising, creating student profiles, and selling or renting students' covered information. Limited exceptions for national assessment instrument providers and counseling services for career and education-related marketing are included in the bill. The bill also addresses permitted uses and disclosures of covered information by the operator. The provisions of this bill do not apply to TEA, school districts, or open-enrollment charter schools.

Change from current law: This is new law.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Office of General Counsel, (512) 463-9720

HB 2537

Statute Amended or Added: Amends Subsection 33.007(b), Education Code

Summary: This bill requires that school counselors provide information to public high school students regarding the availability of tuition and fee waivers for certain foster youth to attend institutions of higher education, including enrollment in dual credit courses.

Change from current law: Currently, school counselors are required to provide the information to students during the first year they are enrolled at the high school level and again during each year of a student's enrollment at the high school level including the importance of postsecondary education; advantages of earning an endorsement and performance acknowledgment and completing the distinguished level of achievement under the FHSP; disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma; financial aid eligibility; instruction on how to apply for financial aid; the state center for financial aid information; rules for automatic admission to IHEs; eligibility and requirements for the TEXAS Grant; and

availability of programs for students to earn college credit, including advanced placement (AP), dual credit, joint high school College credit, and international baccalaureate programs.

Additionally, current TEC, §54.366 waives tuition and fees at any Texas institution of higher education (IHE), including enrollment in dual credit courses, for students who are or were previously in the conservatorship of the Department of Family and Protective Services and who meet certain eligibility requirements.

This legislation adds the requirement that counselors must also provide students with information regarding the availability of education and training vouchers and tuition and fee waivers to attend an IHE as provided by TEC §54.366.

Effective Date: June 9, 2017

Action required for 2017-18 school year: Counselors will need to begin providing the additional information to high school students.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 490

Statute Amended or Added: Amends Sections 33.007, 39.306, and 42.006, Education Code

Summary: This bill requires each school district to include the number of school counselors providing counseling services at each campus in the annual report that is published describing the educational performance of the district and of each campus in the district. The bill also requires the commissioner to require that each school district and open-enrollment charter school report through the Texas Student Data System(TSDS)/Public Education Information Management System (PEIMS) information regarding the availability of school counselors at each campus.

Change from current law: Each school district board of trustees must include the number of school counselors providing counseling services at each campus in the annual report that is published describing the educational performance of the district and of each campus in the district.

The commissioner must, by rule, require each school district and open-enrollment charter school to report through TSDS/PEIMS the number of full-time equivalent school counselors providing counseling services at each campus.

Counselors must provide students with information regarding the availability of education and training vouchers and tuition and fee waivers to attend a Texas institution of higher education (IHE), including enrollment in dual credit courses, for students who are or were previously in the conservatorship of the Department of Family and Protective Services. Counselors must also report to the student and the student's parent or guardian the number of times the counselor has provided the information to the student.

Effective Date: June 9, 2017

Action required for 2017-18 school year: Districts must report through TSDS/PEIMS the number of full-time equivalent school counselors providing counseling services at each campus and include that number in its annual report of educational performance.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Each school district and open-enrollment charter school must report through TSDS/PEIMS the number of full-time equivalent school counselors providing counseling services at each campus.

Does this bill require the agency or ISD to post information to their website? Yes. Each school district must include the number of school counselors providing counseling services at each campus in the annual report that is published describing the educational performance of the district and of each campus in the district

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 1075

Statute Amended or Added: Amends Section 33.085, Education Code

Summary: This bill addresses the frequency of required background checks for University Interscholastic League (UIL) sports officials.

Change from current law: Currently, TEC §33.085 requires a sports official to be registered with UIL and to submit to a criminal background check. In registering with UIL, a sports official must undergo an initial criminal background check.

To maintain registration with UIL, a sports official must now maintain compliance with conditions of eligibility required by UIL; and undergo a subsequent criminal background check once every

three years following the date of the initial criminal background check. UIL must ensure that each sports official who was registered before September 1, 2017 undergoes a subsequent criminal background check not later than September 1, 2020.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: UIL must ensure that each sports official who was registered before September 1, 2017 undergoes a subsequent criminal background check not later than September 1, 2020.

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 1645

Statute Amended or Added: Adds Section 33.093, Education Code

Summary: This bill requires a school district to allow high school students in the district to earn a letter based on the student's participation in a Special Olympics event if the district allows students to earn letters for other achievements.

Change from current law: If a school district allows high school students to earn a letter for academic, athletic, or extracurricular achievements, the district must allow high school students in the district to earn a letter based on the student's participation in a Special Olympics event.

Effective Date: May 29, 2017; Applies beginning with the 2017-2018 school year

Action required for 2017-18 school year: Beginning in the 2017-2018 school year districts must allow students to earn a letter based on participation in a Special Olympics events.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 1566, Section 11

Statute Amended or Added: Adds Section 33.9031, Education Code

Summary: This bill permits the board of trustees of a school district to establish before-school or after-school programs for students in elementary or middle school.

Change from current law: This bill allows school district boards of trustees to establish before-school or after-school programs for students in elementary or middle school. Programs would be permitted to operate before or after regular school hours, or both. Students enrolled in a public or private school or who reside within the school district boundaries are eligible to participate in one of these programs.

A school district must conduct a request for proposals procurement process to enable the district to determine if contracting with a child-care facility that provides a before-school or after-school program to provide the district's before-school or after-school program would serve the district's best interests. Following the request for proposals procurement process, the district may enter into a contract with a child-care facility or implement a before-school or after-school program operated by the district. If the district enters into a contract with a child-care facility, the contract must comply with the requirements of TEC, §44.031 and may not exceed a term of three years.

The board of trustees of the school district would be allowed to adopt rules to provide access to school campuses outside of regular school hours for providing the programs.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 725

Statute Amended or Added: Adds Section 33.907, Education Code

Summary: This bill authorizes school districts and open-enrollment charter schools to permit campuses to donate excess food to nonprofits to redistribute to children attending the campus.

Change from current law: This is new law.

Effective Date: Effective June 9, 2017. This act applies to the 2017-2018 school year.

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Office of General Counsel, (512) 463-9720

SB 1566, Section 12

Statute Amended or Added: Amends Section 33.908, Education Code

Summary: Section 12 of this bill clarifies that the grace period policy required by TEC Section 33.908 regarding insufficient pre-paid meal card balances for students of any school in a school district must be adopted by the board of trustees of the school district, rather than by the administrators of the school district.

Change from current law: See above.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Office of General Counsel, (512) 463-9720

SB 1553

Statute Amended or Added: Amends Sections 37.001(a) and 37.105, Education Code

Summary: The bill requires districts to include in their student code of conduct an explanation of provisions regarding refusal of entry to or ejection from district property under TEC, §37.105.

The bill allows districts to refuse a person to enter on or may eject a person from property under the district's control if the person refuses to leave peaceably on request and poses a substantial risk of harm or behaves in a manner that is inappropriate for a school setting.

Districts must maintain a record of each verbal warning and must provide the person written information explaining the appeal process. If a parent or guardian is refused entry, the district must accommodate that parent or guardian to ensure that they may participate in the child's ARD committee or in the child's team.

The term of a refusal or ejection may not exceed two years. The district and each campus must post on their website information on the provision, including the appeals process.

The commissioner shall adopt rules to implement this, including rules establishing a process for a person to appeal to the board of a school district the decision to refuse the person's entry to or eject the person from the district's property.

Change from current law: This requires districts to establish a procedure on refusing entry to or ejection from district property.

Effective Date: Immediately, except Sections 1, 2, and 3 take effect September 1, 2017.

Action required for 2017-18 school year: Schools must include in their student code of conduct a procedure for handling refusals and ejections.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. Commissioner rules, 19 TAC Chapter 103 Health and Safety, Subchapter CC Commissioner's Rules Concerning Safe Schools

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? It does not create a new reporting requirement, however districts must maintain a record of each warning

Does this bill require the agency or ISD to post information to their website? Districts and campuses are required to post on their website information regarding this, including the appeal process established by Commissioner Rule.

For further information, please contact: Candace Stoltz, School Safety, Discipline, and Emergency Management, (512) 463-9286

HB 674

Statute Amended or Added: Adds Section 37.0013 and Subsection 37.005(c), Education Code

Summary: This bill allows school districts and open-enrollment charter schools to develop and implement a program that provides a disciplinary alternative for a student enrolled in a grade level below grade three who engages in certain conduct. It also allows districts and charters to annually conduct training for staff employed by the district or school on the program.

This bill also prohibits a school from placing a student who is enrolled in a grade level below grade three in out-of-school suspension unless the student engages in certain conduct relating to weapons; violence; selling, giving, delivering or being under the influence of certain substances.

Change from current law: Allows flexibility for districts and charters related to positive behavior programs for students enrolled in grade of three or below. However, the prohibition of certain out-of-school suspensions, as outlined in §37.005(c), is mandatory, regardless of whether the optional program outlined §37.0013 is utilized.

Effective Date: September 1, 2017

Action required for 2017-18 school year: The positive behavior program and professional development is optional. However, a school district code policy and elementary school level code of conduct must be updated to reflect the prohibition on certain out-of-school suspensions in §37.005(c).

Implementation required beyond 2017-18 school year: Ongoing.

Do rules need to be adopted? No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? It will impact PEIMS reporting.

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

For further information, please contact: Candace Stoltz, School Safety, Discipline, and Emergency Management, (512) 463-9286

SB 179

Statute Amended or Added: Amends Sections 37.0832, 37.218, 5.001, 12.104 (b), 21.054, 33.006; adds Sections 37.0052, 37.0151, 21.462 and repeals Section 37.0832(b), Education Code

Summary: The bill will be known as David's Law.

The bill clarifies and expands the definition of bullying, it includes cyberbullying in the definition, and it defines locations where bullying can legally apply. Parental notification of bullying must now be provided within three business days of the date the incident is reported. Districts must also add anonymous reporting procedures for a bullying incident. Districts may establish a prevention and mediation policy for bullying incidents between students.

The bill allows districts the option of alternative education placements or expulsion for students who: engage in bullying that encourages a student to commit or attempt to commit suicide; incites violence against a student through group bullying; or releases or threatens to release intimate visual material of a minor or student who is 18 years of age without the student's consent.

The bill gives districts the option of reporting certain conduct that constitutes an offense under Penal Code Section 22.01 or 42.07(a)(7) to local law enforcement. A person who makes a report is immune from civil or criminal liability.

The bill defines what "mental health condition" means and how it might affect a person.

Charter schools are explicitly subject to specific provisions of this law, in accordance with 12.104 Applicability of Title, subparagraphs (P) through (R).

Teachers and principals continuing education requirements, outlined in TEC 21.054 will now include instruction regarding how grief and trauma affects students.

The bill requires the agency, in coordination with the Health and Human Services Commission, to establish and maintain a website to provide resources for districts and charters regarding working with students with mental health conditions.

The bill adds to a school counselor's responsibility that they must serve as an impartial, nonreporting resource for interpersonal conflicts and discord between students. It also exempts a school counselor for any mandatory reporting requirements imposed by the law.

Change from current law: Adds cyberbullying policies that are required for districts and charters as well as options for DAEP placements or expulsion for students that are bullying another student. It adds reporting incidents to law enforcement and requires TEA to coordinate with HHSC to establish a website for providing resources for districts and charters on mental health.

Effective Date: September 1, 2017

Action required for 2017-18 school year: The agency must develop resource list for mental health resources to be put on TEA/HHSC websites. Districts must update and implement bullying policies.

Implementation required beyond 2017-18 school year: Ongoing

Do rules need to be adopted? 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? It requires TEA to post information regarding mental health resources on their website.

For further information, please contact: Candace Stoltz, School Safety, Discipline, and Emergency Management, (512) 463-9286

HB 156

Statute Amended or Added: Adds Subchapter A-1, Sections 37.031, 37.032, 37.033, 37.034, 27.035, 37.036, 37.037, 37.038, 37.039, 37.040, 37.041 and 37.042; and Adds Subsections 37.020(d) and (e), Education Code

Summary: This bill establishes a pilot program in designated public high schools in certain municipalities for placement of high school students in Junior Reserve Officers' Training Corps (JROTC) programs as an alternative to placement in DAEPs or JJAEPS. The agency shall designate not more than two high schools for the pilot program. The commissioner by rule shall adopt additional criteria that promote positive student educational outcomes for the agency to use in making designations. School districts designated for this program must include in their student code of conduct conditions that authorize a principal to permit a student to choose participation in a JROTC. Districts must also provide notification to the student's parents or guardian.

Not later than January 1, 2019, the commissioner shall review the pilot program and submit a written report to the governor, the lieutenant governor, the speaker of the house and the presiding officer of each legislative standing committee with primary jurisdiction over primary and secondary education, regarding the progress made by the pilot program in improving student educational outcomes.

For each JROTC placement, the district must report information identifying the student, what the placement was based on, the number of partial and full days the student was assigned to and attended, the number of placements that were inconsistent with the guidelines included in the student code of conduct, academic performance and whether the student dropped out of school.

Change from current law: This is new law, which establishes a pilot program and requires the agency to designate high schools to participate.

Effective Date: Immediately

Action required for 2017-18 school year: The commissioner must adopt rules to use to designate public high schools to participate in the pilot program not later than December 1, 2017. TEA must designate not more than two high schools to participate in the program not later than January 1, 2018. The pilot program shall be implemented in the designated high schools beginning with the spring semester of the 2017-2018 school year.

Implementation required beyond 2017-18 school year: This expires September 1, 2019

Do rules need to be adopted? Yes. 19 TAC Chapter 103, Health and Safety, Subchapter CC, Commissioner's Rules Concerning Safe Schools

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes, for both TEA and the designated public high schools.

Does this bill require the agency or ISD to post information to their website? Requires designated public high schools to include information in their student code of conduct

For further information, please contact: Candace Stoltz, School Safety, Discipline, and Emergency Management, (512) 463-9286

HB 867

Statute Amended or Added: Amends Sections 37.0811 and 51.220 and adds Section 37.0813, Education Code

Summary: The bill changes the heading of Section 37.0811 by adding "Public Schools" to the School Marshal title. It changes the ratio of the number of students per school marshal at a school to the greater one marshal per 200 students or one marshal per building of the campus. In addition, the type of ammunition that can be loaded into a handgun carried by a school marshal is duty ammunition that is approved for that purpose by the Texas Commission on Law Enforcement.

The bill adds that private schools may also appoint school marshals, and at the same ratio as public schools. The same regulations regarding school marshals apply to private schools as the do to public schools and charter, including the identity of the person remaining confidential. And the same type of ammunition that can be loaded by a school marshal in a public school applies to a private school.

Change from current law: This gives private schools the option to appoint school marshals.

Effective Date: Immediately

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

Does this expressly apply to charters? No, charter schools were included in previous legislation on this.

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

For further information, please contact: Candace Stoltz, School Safety, Discipline, and Emergency Management, (512) 463-9286

SB 1566, Section 13

Statute Amended or Added: Adds Section 37.0815, Education Code

Summary: Section 13 states that a school district or open-enrollment charter school may not prohibit a person who holds a license to carry a handgun under Government Code, Chapter 411, Subchapter H, from transporting or storing a handgun or other firearm or ammunition in a locked and privately owned or leased car that is in a district or charter owned parking lot, parking garage, or other parking area provided by the district or charter school. This bill further specifies that the handgun, firearm, or ammunition must be not in plain view. However, this bill does not authorize a person to possess, transport, or store a handgun, a firearm, or ammunition in violation of §37.125 of this code, Penal Code §§46.03 or 46.035, or other law.

Change from current law: This is new law.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? 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

For further information, please contact: Candace Stoltz, School Safety, Discipline, and Emergency Management, (512) 463-9286

HB 332

Statute Amended or Added: Amends Section 37.108, Education Code

Summary: This requires a school district to include in its multi-hazard emergency operations plan a policy for school district property selected for use as a polling place.

Change from current law: Election Code §43.301(c) currently states that the entity that owns or controls a public building shall make the building available for use as a polling station in any election that covers territory in which the building is located. This amendment to Education Code requires a school district to be prepared for a school district should be prepared if school district property is selected for a polling place. Proposed new subsection (e) of TEC §37.108 outlines these policy recommendations. Primarily, that the district may consult with local law enforcement regarding reasonable security accommodations that may be made. However, this does not require the board to obtain or contract any personal to secure the polling place.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Any school district without a policy for school district property selected for use as a polling place in its multi-hazard emergency operations plan must create such a policy.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Candace Stoltz, School Safety, Discipline, and Emergency Management, (512) 463-9286

HB 2880

Statute Amended or Added: Amends Section 37.125, Education Code

Summary: This bill expands the title of TEC §37.125 to include the “use, or threat of exhibition or use” of firearms. This bill also distinguishes between three offenses where a person, with intention to cause alarm, injury or damage, exhibits or uses a firearm or threatens to exhibit or use firearms either with and without immediate access to the firearm. Use or exhibition of a firearm, or threaten use or exhibition with possession or immediate access to a firearm is a third the degree felony; threatened use or exhibition of a firearm will be a Class A misdemeanor.

Change from current law: Under current law, any person who exhibits, uses, or threatens to exhibit or use a firearm with the intent to cause alarm or personal injury in or on school property

or in transport to school-sponsored events commits a third-degree felony, regardless of whether the person threatening to exhibit or use a firearm possesses or has immediate access to a firearm. This amendment would distinguish between threatened use or exhibition of a firearm with or without possesses or immediate access to said firearm. A person who possesses or has immediate access to a firearm would still be committing a third-degree felony; any other person threatening to use or exhibit a firearm would be committing a Class A misdemeanor.

Effective Date: September 1, 2017

Action required for 2017-18 school year: No

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

Does this expressly apply to charters? This bill applies to any person on a public or private school, or in transport to a school-sponsored event; this would include 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

For further information, please contact: Candace Stoltz, School Safety, Discipline, and Emergency Management, (512) 463-9286

HB 1886

Statute Amended or Added: Adds Sections 8.061 and 38.0032 and amends Sections 29.011, 29.0112(b) and (e), 29.017, and 38.003(a) and (b-1), Education Code

Summary: This bill requires students enrolling in public school to be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education (SBOE). The bill requires each ESC to employ a licensed dyslexia therapist to provide school districts with support and resources that are necessary to assist students with dyslexia and their families. The bill also requires TEA to annually develop a list of training opportunities regarding dyslexia.

Change from current law: Currently, TEC §38.003 requires school districts and charter schools to test students for dyslexia and related disorders at appropriate times in accordance with a program approved by the SBOE. Additionally, TEC §21.054 requires educators who teach students with dyslexia to complete training regarding new research and practices in educating students with dyslexia as part of their continuing education requirements.

This bill requires students enrolling in public school to be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the SBOE. The program must include screening at the end of the school year of each student in kindergarten and each student in the first grade.

Unless otherwise provided by law, a student determined to have dyslexia during screening or testing or accommodated because of dyslexia may not be rescreened or retested for dyslexia for the purpose of reassessing the student's need for accommodations until the district reevaluates the information obtained from previous screening or testing of the student.

This bill requires each ESC to employ a licensed dyslexia therapist to provide school districts with support and resources that are necessary to assist students with dyslexia and their families.

The bill also requires TEA to annually develop a list of training opportunities regarding dyslexia. The list of training opportunities must include at least one opportunity that is available online. A training opportunity included on the list must comply with the knowledge and practice standards of an international organization on dyslexia and must enable an educator to understand and recognize dyslexia and implement instruction that is systematic, explicit, and evidence-based to meet the educational needs of a student with dyslexia.

This bill permits a student's parents or other persons invited to participate by the student's parents or the school district to attend the (ARD) committee meetings of a student with a disability who is younger than 18. If a student is at least 18, the bill permits appropriate involvement in the student's transition and future by the student's parents or other persons if they are invited to participate by the student or school district or have the student's consent pursuant to a supported decision-making or similar agreement. A student's IEP must address the following:

- Appropriate postsecondary education options, including preparation for postsecondary-level coursework
- An appropriate functional vocational evaluation
- If the student is at least 18, the availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living in coordination with the student's transition goals and objectives
- Appropriate independent living goals and objectives
- Appropriate circumstances for facilitating the referral of a student or the student's parents to a governmental agency for services and public benefits, including facilitating a referral to place a student on a waiting list for public benefits available to the student, such as a waiver program established under Section 1915(c), Social Security Act (42 U.S.C. Section 1396n(c))
- The use and availability of appropriate supplementary aids, services, curriculum, and other opportunities to assist the student in developing decision-making skills; and appropriate supports and services to foster the student's independence and self-determination, including a supported decision-making agreement under Chapter 1357, Estates Code

This bill requires a student's ARD committee to annually review transition issues and update the student's IEP to address those issues.

The bill would also require the commissioner to maintain on the agency's website a list of the services and public benefits available to these students. The commissioner must also, at least every four years, solicit input from interested stakeholders, review and, if necessary, update the minimum training guidelines for district or shared services arrangement designees on transition and employment services for students enrolled in special education programs

The transition and employment guide must be written in plain language and contain information specific to Texas regarding community and long-term services and support, including information regarding placing the student on a waiting list for public benefits available to the student from a governmental agency, such as a waiver program established under Section 1915(c), Social Security Act, and guardianship and alternatives to guardianship, including a supported decision-making agreement under Chapter 1357, Estates Code.

Currently, TEC §29.0112(e) requires a district to provide written information and, if necessary, assistance to a parent regarding how to access the electronic version of the transition guide. This bill adds a student as an individual to whom a school district would be required to provide written information, and if necessary, assistance regarding how to access the electronic version of the transition and employment guide. A district is required to provide written information and assistance at the first meeting at which transition is discussed that occurs after the date on which the guide is updated in addition to providing written information and assistance at the first meeting of the student's ARD committee at which transition is discussed. Additionally, on request, the district is required to provide a printed copy of the guide to a parent or student.

Not later than one year before the 18th birthday of a student with a disability, the school district at which the student is enrolled must provide to the student and the student's parents written notice regarding the transfer of rights and information and resources regarding guardianship, alternatives to guardianship, including a supported decision-making agreement under Chapter 1357, Estates Code, and other supports and services that may enable the student to live independently; and ensure that the student's IEP includes a statement that the district provided the required notice, information, and resources.

A district must provide written notice to a student and the student's parents of the transfer of rights and information and resources regarding guardianship, alternatives to guardianship, including a supported decision-making agreement under Chapter 1357, Estates Code, and other supports and services that may enable the student to live independently.

A district must provide to the student or parent information and resources on supported decision-making agreements if a student with a disability or the student's parent requests information regarding guardianship or alternatives to guardianship from the school district in which the student is enrolled.

The commissioner must develop a model form and post the form on the agency's website for use by school districts in notifying students and parents. The commissioner must also update information and resources about guardianship, alternatives to guardianship, and supported decision-making agreements as necessary and post the information and resources on the agency's website.

Effective Date: June 15, 2017; requirements related to screening and testing for dyslexia apply beginning with the 2017-2018 school year; requirements related to transition assistance apply beginning with the 2018-2019 school year

Action required for 2017-18 school year: Students enrolling in public school must be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the SBOE. The program must include screening at the end of the school year of each student in kindergarten and each student in the first grade.

Implementation required beyond 2017-18 school year: Requirements related to transition assistance must be implemented beginning with the 2018-2019 school year.

Do rules need to be adopted? 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? Yes. The commissioner must maintain on the agency's website a list of the transition services and public benefits available to students with disabilities. The commissioner must also develop a model form and post the form on the agency's website for use by school districts in notifying students and parents of transfer of rights and availability of information and resources. The commissioner must also update information and resources about guardianship, alternatives to guardianship, and supported decision-making agreements as necessary and post the information and resources on the agency's website.

For further information, please contact: Curriculum Division for information related to dyslexia, (512) 463-9581 curriculum@tea.texas.gov . Division of Special Populations for information related to transition assistance, (512) 463-9414

SB 1873

Statute Amended or Added: Amends Section 38.0141, Education Code

Summary: This bill requires the agency to complete a report on physical education provided by each school district and publish the report on the agency's website no later than one year after the agency receives the information.

Change from current law: Current law requires each school district to provide to the agency the following information relating to student health and physical activity:

- The number of times the district's school health advisory council (SHAC) met
- The district/charter school's policy for meeting the elementary, middle, and junior high school physical activity requirements
- Whether the district/charter school notify parents that they can request in writing their child's physical fitness assessment results
- Whether the district/charter school adopted policies and procedures that prescribe penalties for the use of electronic cigarettes and tobacco products on campus or at school sponsored activities
- Whether the district/charter school adopted policies to ensure campuses comply with Texas Department of Agriculture (TDA) vending machine and food service guidelines for restricting student access.

The commissioner must now complete a report on physical education provided by each school district and publish the report on the agency's website. The report must include the following:

- The number of P.E. classes offered at each campus in the district and detail the number of days, classes, and minutes offered each week by each campus

- The ratio of students enrolled in P.E. classes in the district compared to the overall enrollment
- The average P.E. class size at each campus in the district
- The number of P.E. teachers in the district who are licensed, certified, or endorsed by an accredited teacher preparation program to teach P.E.
- Whether each campus in the district has the appropriate equipment and adequate facilities for students to engage in the amount and intensity of physical activity required under TEC, §28.002
- Whether the district allows modifications or accommodations that allow physical education courses to meet the needs of students with disabilities
- Whether the district has a policy that allows teachers or administrators in the district to withhold physical activity from a student as punishment

Effective Date: May 24, 2017

Action required for 2017-18 school year: Districts will have to report additional information related to physical education classes.

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Districts must report additional information and TEA must complete a report on physical education provided by each school district and publish the report on the agency's website.

Does this bill require the agency or ISD to post information to their website? Yes. TEA must complete a report on physical education provided by each school district and publish the report on the agency's website.

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 1566, Section 14

Statute Amended or Added: Adds Section 38.031, Education Code

Summary: This bill requires the school administrator or nurse of an elementary school to provide notice of a student having head lice to all parents.

Change from current law: Currently, state law and rule do not address providing notice of a student having head lice at school. However, if a school district has a local policy addressing head lice, the Department of State Health Services (DSHS) urges school districts to ensure that its policies and procedures do not cause children to miss class unnecessarily. In addition, a school district's policies and procedures should not encourage the embarrassment or isolation of students who suffer from repeated cases of head lice.

This bill requires district boards of trustees to adopt a policy requiring a school nurse of a public elementary school who determines or otherwise becomes aware that a child enrolled in the school has lice to provide written or electronic notice of that fact to:

- the parent of the child with lice as soon as practicable, but not later than 48 hours after the administrator or nurse, as applicable, determines or becomes aware of that fact; and
- the parent of each child assigned to the same classroom as the child with lice not later than the fifth school day after the date on which the administrator or nurse, as applicable, determines or becomes aware of that fact.

The notice must include the recommendations of the Centers for Disease Control and Prevention for the treatment and prevention of lice, and a notice provided to the parents of children assigned to the same classroom as the child with head lice may not identify the child with lice.

The commissioner of education must adopt rules as necessary to implement this requirement in a manner that complies with federal law including HIPPA and FERPA and any state law relating to the privacy of student information.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Each school district board of trustees must adopt a policy requiring a school nurse of a public elementary school who determines or otherwise becomes aware that a child enrolled in the school has lice to provide written or electronic notice of that fact to parents.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Commissioner of education must adopt rules as necessary to implement this requirement in a manner that complies with federal law including HIPPA and FERPA and any state law relating to the privacy of student information.

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 3024

Statute Amended or Added: Amends Section 38.156, Education Code

Summary: This bill grants a licensed chiropractor the authority to determine whether a public school student should be removed from an interscholastic athletic activity on the basis of a suspected concussion.

Change from current law: Currently, TEC §38.156, requires that a student be removed from an interscholastic athletic activity or practice if a coach, physician, licensed health care professional, or a student's parent or legal guardian believes the student might have sustained a concussion during the athletic competition or practice.

This bill amends TEC §38.156 to add individuals licensed as chiropractors under Texas Occupations Code, Chapter 201, to the list of individuals that may determine if a student has sustained a concussion.

Effective Date: June 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 579

Statute Amended or Added: Amends Sections 38.201, 38.202, 38.208, 38.209, 38.210, 38.211, 38.212, 38.213, 38.214, and 38.215, Education Code

Summary: Private schools are added to the statutory provisions permitting schools to adopt and implement policies regarding the maintenance, administration, and disposal of epinephrine auto-injectors at each campus in the district or school.

Change from current law: Current law specifies requirements for the use of epinephrine auto-injectors on public and charter school campuses. This legislation amends Texas Education Code (TEC), Chapter 38, Subchapter E, Maintenance, Administration, and Disposal of Epinephrine Auto-Injectors, by adding "private schools" to the existing requirements.

The legislation defines a private school as a school that offers a course of instruction for students in one or more grades from prekindergarten through grade 12; is not operated by a governmental entity; and is not a school whose students meet the definition provided by TEC, Section 29.916(a)(1).

Current law requires a school district and the charter holder to report the administration of an epinephrine auto-injector no later than the 10th business day following the administration. This legislation adds private school governing bodies to the applicable reporting entities.

Effective Date: May 22, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581, curriculum@tea.texas.gov

HB 22

Statute Amended or Added: Adds Subchapter A Sections 39.001, 39.002, 39.053(c-3) and (e), 39.0533, 39.054(a-4) and (b), 39.0541, 39.0542, 39.0544, and 39.101; amends sections 11.252(a), 11.253(c), 12.1013(c), 29.062(a), 29.202(a), 39.052(b), 39.053(a), (a-1), (b), (c), (d-1), (f), (g), (g-1), (g-2), and (i), 39.054(a), (a-1), (a-2), (a-3), and (e), 39.0548(b), (c), and (d), 39.055, and 39.301(b); transfers 39.054(f) is to 39.053(g-3); and repeals 39.054(c), 39.0545, and 39.0546, Education Code

Summary: House Bill (HB) 22 establishes three domains of indicators to evaluate the academic performance of districts and campuses: Student Achievement, School Progress, and Closing the Gaps. The bill requires the commissioner to adopt rules to assign districts a rating of *A*, *B*, *C*, *D*, or *F* for overall performance, as well as for performance in each domain, beginning in August 2018. Campuses will receive A–F ratings beginning in August 2019. The bill establishes local accountability systems to allow districts and charter schools to develop plans to locally evaluate their campuses. Once a plan receives approval from the agency, districts and charter schools may use locally developed domains and indicators along with the three state-mandated domains to assign A–F ratings for each campus. Finally, HB 22 requires the commissioner to report to the legislature by January 1, 2019, the overall and domain performance rating each campus would have received for the 2017–18 school year if the A–F ratings for campuses had been in place that year.

Change from current law: Section 1 makes conforming changes to §11.252(a).

Section 2 makes conforming changes to §11.253(c).

Section 3 makes conforming changes to §12.1013(c).

Section 4 makes conforming changes to §29.062(a).

Section 5 changes eligibility for the public education grant (PEG). A student is eligible for PEG program if he or she is assigned to attend a public school that receives an unacceptable performance rating for both the Student Achievement and School Progress domains. The new eligibility criteria for the PEG program begins with the 2018–19 school year and will be based on the 2017–18 ratings.

Section 6 requires the commissioner to adopt rules as necessary to administer Chapter 39. It requires the commissioner to solicit statewide input from stakeholders in doing so. This section also exempts advisory committees appointed under Chapter 39 from the requirements of Chapter 2110, Government Code, regarding state agency advisory committees.

Section 7 makes conforming changes to §39.052(b).

Section 8 establishes the performance indicators and three domains to be used in the accountability system and requires the commissioner to review them periodically. The Student Achievement domain will include results of STAAR assessments for grades 3–8, EOCs, and assessments administered in Spanish aggregated across grade levels by subject area at both the satisfactory and college readiness standards.

For high schools, the Student Achievement domain will also include indicators that account for the following:

- Students who meet TSI benchmarks in reading or mathematics
- Students who satisfy relevant performance standards on AP (or similar) exams
- Students who earn dual course credits
- Students who enlist in the military
- Students who earn an industry certification
- Students admitted into postsecondary certification programs that require as a prerequisite for entrance successful performance at the secondary level
- Students who successfully complete a college preparatory course under §28.014
- Students who successfully meet the standards on a composite of indicators that indicate the student's preparation to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate or associate degree
- Graduation rates
- Students who successfully complete an OnRamps dual enrollment course
- Students who are awarded an associate's degree while in high school

The School Progress domain will include two indicators of effectiveness in promoting student learning: an indicator that will include the percentage of students who meet the standards for annual improvement as determined by the commissioner and an indicator to evaluate relative performance of districts and campuses compared to similar districts or campuses. Any standard for annual improvement used in School Progress must give growth credit for students who performed at the highest achievement level in the previous year.

The Closing the Gaps domain will use disaggregated results to compare performance among students from different racial and ethnic groups, and socioeconomic backgrounds; students formerly receiving special education services; students continuously enrolled; and students who are mobile. A student formerly receiving special education is defined as having been reporting through TSDS/PEIMS as a student participating in a special education program for the previous year, is at the same campus in the current year, and is not reported through TSDS/PEIMS as a student participating in a special education program.

In consultation with educators, parents, and business and industry representatives, as necessary, the commissioner must establish and modify standards to continuously improve student performance to eliminate achievement gaps based on race, ethnicity, and socioeconomic status and to ensure that Texas is a national leader in preparing students for postsecondary success.

Finally, each school district is required to submit data needed for all indicators.

Section 8 also makes conforming changes.

Section 9 requires the commissioner to conduct a study on the feasibility of incorporating an indicator that accounts for extracurricular and cocurricular student activity. To determine the feasibility of adopting such an indicator, the commissioner may require a school district or campus to report certain information; the commissioner may also establish an advisory committee. The commissioner may adopt any extracurricular or cocurricular indicator deemed appropriate. Not later than December 1, 2022, the commissioner must report to the legislature on the feasibility of incorporating an extracurricular and cocurricular student activity indicator, unless such an indicator is adopted prior to that date.

Section 10 requires the commissioner to adopt rules to assign each district and campus a rating of *A*, *B*, *C*, *D*, or *F* for overall performance, as well as for performance in each of the three domains. *A* reflects exemplary performance, *B* reflects recognized performance, *C* reflects acceptable performance, *D* reflects performance that needs improvement, and *F* reflects unacceptable performance. It adds that a reference in law to acceptable performance includes a performance rating of *A*, *B*, *C*, or *D*. This section also requires the commissioner, when assigning overall performance ratings, to use the performance rating of the Student Achievement domain or the School Progress domain, whichever is higher. The Closing the Gaps rating must constitute at least 30% of the overall rating. If a district is approved to use a local accountability system, and a campus does not receive an overall rating of *D* or *F* based on the three state-developed domains, the commissioner must assign that campus the overall accountability assigned by the school district. The commissioner may adopt procedures to ensure that repeated domain ratings of *D* or *F* are reflected in the overall rating. Section 10 also makes conforming changes.

Section 11 requires the commissioner to issue *Met Standard* or *Improvement Required* performance ratings for campuses in August 2018. Campuses will receive A–F ratings beginning in August 2019. This section also requires the commissioner to ensure the method used to evaluate performance provides the mathematical possibility that all districts and campuses receive an *A* rating.

Section 12 transfers §39.054(f) to §39.053(g-3) and makes conforming changes.

Section 13 adds §39.0541, allowing the commissioner to adopt academic accountability indicators and standards at any time during a school year before the evaluation of a school district or campus.

Section 14 adds §39.0542 and §39.0544. Section 39.0542 requires the commissioner to annually provide each school district a document in a simple, accessible, easily distributable format that explains accountability performance measures, methods, and procedures that will be applied for that school year.

Section 39.0544 establishes a local accountability system. This section requires the commissioner to adopt rules regarding the assignment of campus performance ratings by school districts and open-enrollment charter schools. A local accountability system under this section must incorporate domain performance ratings assigned by the commissioner and performance ratings based on locally developed domains when assigning an overall performance rating for a campus. A campus is not eligible to receive locally assigned ratings if it receives an overall grade of *D* or *F* based on the three domains established by HB 22. To determine a locally developed overall rating, districts may assign weights to each domain, provided that the three state-developed domains account for at least 50 percent of the overall performance rating. The locally developed domains must contain levels of performance that allow for differentiation, provide for the assignment of a letter grade of A–F, and meet standards for reliability and validity. The calculations for overall performance ratings and each locally developed domain must be capable of being audited by a third party. Finally, any district using locally assigned ratings must produce a campus score card that may be displayed on the agency's website, and the district must develop and make publicly available an explanation of the methodology used to assign performance ratings.

Section 39.0544 requires the commissioner to develop a process to approve a request by a district or school to assign locally developed campus performance ratings. Under this process, a district or school must submit to the agency a local accountability plan for approval. The plan may only be approved if the agency determines the plan meets the minimum requirements, an agency audit verifies the calculations (at the commissioner's discretion), and a review panel approves the plan. A district or school authorized to assign locally developed campus performance ratings must evaluate the performance of each campus and assign each campus a performance rating of A–F for overall performance and for each locally developed domain. These performance ratings must be reported to the agency and made available to the public.

Section 15 makes conforming changes to §39.0548(b), (c), and (d). This section also strikes the provision that prohibited using assessments of students enrolled in a dropout recovery school for fewer than 90 days.

Section 16 makes conforming changes to §39.055.

Section 17 (School Improvement)

Section 18 makes conforming changes to §39.301(b).

Section 19 repeals §39.054(c), §39.0545, and §39.0546.

Section 21 requires the commissioner to report to the legislature by January 1, 2019, the overall and domain performance rating each campus would have received for the 2017–18 school year if the A–F ratings for campuses had been in place that year. The report must also show the correlation between those ratings and the percentage of economically disadvantaged students

and English language learners at each campus. The report will be disaggregated by race, ethnicity, and socioeconomic status.

Effective Date: Effective immediately.

Action required for 2017–18 School Year: Engage stakeholders statewide to develop A–F accountability system indicators and standards; coordinate with TSDS/PEIMS staff to collect new data elements. Assign A–F ratings for overall performance and performance in each of the three domains to districts; assign *Met Standard* and *Improvement Required* ratings to campuses. Develop explanatory materials for the A–F accountability system. Adopt rules for local accountability systems

Implementation required beyond 2017–18 school year: Assign a rating of *A, B, C, D, or F* for overall performance and performance in each of the three domains to both districts and campuses. Engage stakeholders statewide to review indicators and standards. Study the feasibility of an indicator that accounts for extracurricular and cocurricular student activity; report to the legislature no later than December 1, 2022. Develop a provisional A–F report showing the overall and domain performance rating each campus would have received for the 2017–18 school year if the A–F ratings for campuses had been in place that year

Do rules need to be adopted? Yes. Commissioner rules, 19 TAC, §97.1001

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes, the bill would require school districts and charter schools to submit certain additional data elements for the three domain indicators.

Does this bill require the agency or ISD to post information to their website? Yes, if districts choose to create a local accountability system, the district or school must produce a campus score card that may be displayed on the agency's website, and the district or school must develop and make publicly available an explanation of the methodology used to assign performance ratings.

For further information, please contact: Performance Reporting, (512) 463-9704

HB 2130

Statute Amended or Added: Adds Section 39.02302, Education Code

Summary: TEC § 39.02302 requires the agency to conduct a study of the impact of the statewide assessment program on students in special education. As part of the study, the agency will address whether administration of alternate assessment instruments complies with the Every Student Succeeds Act; whether administering state-required assessment instruments, other than alternate assessment instruments, will provide an accurate assessment of the students' academic achievement and result in six identified outcomes; and whether exempting students in special education from a state assessment instrument would impact the statewide assessment program. The agency will also identify recommendations to improve the impact of

the assessment program on students in special education, including recommendations in six specific areas. This section expires on January 1, 2019.

Change from current law: The current law did not require a study.

Effective Date: June 12, 2017

Action required for 2017-2018 school year: The agency must conduct the study during the school year in order to have sufficient time to gather information, make determinations and recommendations, and present the required report to legislative leadership by October 1, 2018.

Outstanding Issues: None

Do rules need to be adopted? No

Does this bill expressly apply to charters? No

Does this bill require TEA/school districts to post information to their website? Yes. The agency must publish on its website the report submitted to legislative leadership, all data relied upon to form the agency's determinations and recommendations, and the methodologies used by the agency in conducting the study.

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

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

SB 1005

Statute Amended or Added: Amends Subsection 39.025(f) and adds Subsections 39.025(f-1) and (f-2), Education Code

Summary: TEC §39.025(f) clarifies that STAAR EOC assessments are to be administered beginning with students enrolled in the 9th grade for the first time during the 2011-2012 school year, and TAKS exit level assessments will be retained, administered, and used by the commissioner for students who entered a grade above 9th grade or repeated 9th grade in the 2011-2012 school year. It also allows these TAKS students to receive their high school diploma upon satisfactory performance on TAKS, SAT, ACT, TSI, or STAAR. TEC §39.025(f-1) requires the commissioner to establish satisfactory performance levels for TAKS students to receive a high school diploma under the substitute assessments, and eliminates the requirement for the commissioner to maintain or administer TAKS after September 1, 2017. TEC §39.025(f-2) requires the district to determine which assessment instrument(s) qualify a TAKS student to receive a high school diploma from the district.

Change from current law: Previously, the only path to a high school diploma for students who repeated 9th grade or entered a grade above 9th grade in the 2011-2012 school year was to perform satisfactorily on TAKS.

Effective Date: June 12, 2017

Action required for 2017-2018 school year: Districts must determine which assessment instrument(s) qualify a TAKS student to receive a high school diploma from the district. The commissioner must establish satisfactory performance levels for the alternate assessments that are equivalent in rigor to TAKS performance levels.

Outstanding Issues: None

Do rules need to be adopted? The commissioner must amend rules to incorporate the alternate pathways to a high school diploma for TAKS students.

Does this bill 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 ISDs to post information to their website? No

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

SB 825

Statute Amended or Added: Amends Section 39.0261(a), Education Code

Summary: This bill changes language regarding the administration of college preparation assessment instruments to students in grades 8 and 10 from required to permissive.

Change from current law: Previously, TEC §39.0261(a) required school districts and charter schools to administer each year and at state cost an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument to students in grades 8 and 10 if the legislature appropriates funds for this purpose. School districts must administer an assessment instrument that meets the criteria to students in the spring of the eighth-grade year for the purpose of diagnosing academic strengths and deficiencies before entering high school and to students in the tenth grade for the purpose of measuring a student's progress toward readiness for college and the workplace.

District and charter school administration of these assessments is now permissive rather than required.

Effective Date: June 9, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 3593, Section 4

Statute Amended or Added: Amends Subsection 39.053 (c), Education Code

Summary: HB 3593 adds an additional indicator to Domain IV of the academic accountability system for evaluating the performance of high school campuses and districts that include high school campuses.

Change from current law: Section 4: This section adds an additional indicator to Domain IV in the state academic accountability system for evaluating the performance of high school campuses and districts that include high school campuses. The new indicator evaluates the percentage of students who successfully complete a practicum or internship approved by the State Board of Education.

Action required for 2017–18 school year: Adds an indicator to Domain IV to include the percentage of students who successfully complete a practicum or internship approved by the State Board of Education.

Implementation required beyond 2017–18 school year: None.

Do rules need to be adopted? Yes, rule adoption for this bill would occur with the annual adoption of the accountability manual. 19 TAC §97.1001

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

For further information, please contact: Performance Reporting, (512) 463-9704.

HB 3075

Statute Amended or Added: Amends Subsections 39.053(g-1) and (g-2), Education Code

Summary: TEC 39.053(g-1) is amended to add students who are provided services by an open-enrollment charter school exclusively as the result of having been detained at a juvenile detention facility to the list of students who are excluded from dropout and completion rate calculations used for state accountability. TEC 39.053(g-2) is a technical edit to correct the reference to these rates within this section.

Change from current law: Currently, students detained in county detention facilities that are served by open-enrollment charter schools are excluded under TEC 39.055 from dropout and graduation rates calculated for state accountability purposes; therefore, there are no changes from current practice.

Effective Date: Immediately.

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

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

SB 1837

Statute Amended or Added: Adds Subsection 39.082 (e-1), Education Code

Summary: SB 1837 amends the current laws under TEC §39.082 relating to the financial accountability standards for charter schools operated by public institutions of higher education (public colleges and universities).

Charter schools operated by public colleges and universities will continue to be evaluated under the Financial Integrity Rating System of Texas (FIRST) using indicators included in FIRST, but will not be assigned a financial accountability rating. The continued evaluation of the financial health of said charter schools will allow the TEA to accurately measure the financial performance of such charter schools.

Change from current law: Under the current FIRST the financial health of charter schools operated by public colleges and universities are evaluated using the same FIRST indicators that are used to evaluate open-enrollment charter schools not operated by public colleges or universities. Charter schools operated by public colleges and universities typically use the facilities owned by the college or university, however, said charter schools have no assets independent of the college or university. Evaluating those charter schools using the same methodology used to evaluate charter schools that are not operated by a public college or university did not yield results that accurately evaluated the financial health of the charter schools operated by public colleges and universities.

Under SB 1837, the financial health of charter schools operated by public colleges and universities will be evaluated with FIRST indicators that accurately measure the financial performance of such charter schools.

Effective Date: June 12, 2017

Action required for 2017-18 school year: The commissioner of education must create new financial indicators under the FIRST to evaluate the financial performance of charter schools operated by public colleges and universities. The new financial indicators must go through formal adoption before implementation.

Implementation required beyond 2017-18 school year: Charter schools operated by public colleges and universities will continue to be evaluated under the FIRST with indicators adopted by commissioner rule.

Do rules need to be adopted? Yes, Commissioner rule. 19 TAC §109.1001

Does this expressly apply to charters? Yes. Specifically, charter schools that are operated by public colleges and universities will be evaluated under FIRST with indicators specifically designed to measure the financial health of charter schools operated by public colleges and universities. Open-enrollment charter schools that are not operated by a public college or university will continue to be evaluated under the current FIRST with indicators that are disclosed in 19 TAC §109.1001.

Does this bill contain a new reporting requirement for TEA/school districts? Yes. The TEA must implement new indicators in the FIRST for charter schools operated by public colleges and universities and the results of the financial performance based on those indicators will be displayed in a new report in the FIRST.

Does this bill require the agency or ISD to post information to their website? Yes. The financial performance of charter schools operated by public colleges and universities will be displayed in a report in the FIRST on the TEA webpage.

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

HB 1553

Statute Amended or Added: Amends Sections 39.102 and 39.111(c), Education Code

Summary: Allows the commissioner to permit a district that has failed to satisfy accreditation, performance, or financial accountability standards to partner with an institution of higher education to improve district performance.

Change from current law: This bill adds the option for the commissioner to initiate a partnership between a failing school district and an institution of higher education (IHE) to improve district performance.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Once schools receive accreditation ratings for the 2017-2018 school year, any district that did not meet accreditation, performance, or financial accountability standards must engage in performance improvement initiatives. Schools that may engage in these partnerships will be notified of that option and will choose from a list of approved providers for ongoing improvement support.

Implementation required beyond 2017-18 school year: Ongoing

Do rules need to be adopted? Yes. Commissioner rules, in 19 TAC §97.1057. Interventions and Sanctions; Lowered Rating or Accreditation Status, may be updated to reflect this opportunity.

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

For further information, please contact: TEA's Division of School Improvement, (512) 463-7582

SB 1566, Sections 6 and 15

Statute Amended or Added: Adds Section 11.182 and Subsection 39.102(a)(12), Education Code

Summary: This bill requires the commissioner to develop a board of trustees' improvement and evaluation tool. This tool can be used as an intervention or sanction for schools based on accreditation criteria, academic or financial accountability standards, or a special accreditation investigation.

Change from current law: This is new law. This tool did not previously exist. Nor did the commissioner's authority to order its use as an intervention or sanction for districts.

Effective Date: September 1, 2017

Action required for 2017-18 school year: The commissioner must create the board of trustees' improvement and evaluation tool. The tool is optional unless a district or charter school has been ordered to use it by the commissioner, as outlined in TEC, §39.102(a).

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? Yes. Commissioner rule. 19 TAC §97.1057. Interventions and Sanctions; Lowered Rating or Accreditation Status

Does this expressly apply to charters? Yes, in accordance with TEC, §39.102(a), this is applicable to charter 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

For further information, please contact: Division of Governance and Investigations (512) 475-3697

HB 2263

Statute Amended or Added: Amends Subsection 39.106(e), Education Code

Summary: This bill removes the requirement that a campus intervention team work with a campus after it has met performance standards in TEC §39.054. This bill also outlines turnaround plan requirements regarding commissioner notification of approval or rejection of a plan, timelines for said notification, timelines for district action upon commissioner rejection of turnaround plans, and a timeline for commissioner action regarding the district's submission of a modified plan.

Change from current law: Current law requires a campus intervention team to work with a campus the year after the campus meets standard. This amendment removes that requirement. In addition, the current law is silent on the specifics of commissioner approval or rejection of turnaround plan, including timelines and modified plan submission.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Districts that have not been identified as having an unacceptable performance rating will not be required to use a Campus Improvement Team. Districts that developed a turnaround plan for the 2017-2018 school year were notified of the commissioner's decision on or before June 15 and will be required to implement the decision as stated in a TAA letter.

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? Yes. Commissioner rules in 19 TAC §97.1061(h) will need to be amended to align with TEC.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? No. It removes a reporting requirement for any campus that was assigned an unacceptable rating in the prior year but met standard in the current year: the targeted improvement plan submission.

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

For further information, please contact: TEA's Division of School Improvement, (512) 463-7582

SB 2084

Statute Amended or Added: Adds Subsection 42.005(g-1), Education Code

Summary: SB 2084 amends current law relating to calculation of average daily attendance (ADA) for public school students that participate in blended learning programs, such as students that participate in workforce training, internships, apprenticeships, and college courses.

Change from current law: Currently no mechanism exists to accurately count the ADA of students that participate in blended learning programs.

SB 2084 amended TEC §42.005, by adding Subsection (g-1), TEC §42.005(g), which requires the commissioner of education to adopt rules to calculate the average daily attendance for students that participate in a blended learning program in which classroom instruction is supplemented with applied workforce learning opportunities, including participation of students in internships, externships, and apprenticeships.

Effective Date: June 15, 2017

Action required for 2017-18 school year: The commissioner of education must adopt rules to calculate the ADA of students that participate in blended learning programs, based on the requirements under SB 2084. School districts and charter schools must use the rules adopted by the commissioner of education to take the attendance of students that participate in blended learning programs and accurately calculate the ADA for the school district and charter school based on the rules adopted by the commissioner of education.

Implementation required beyond 2017-18 school year: The TEA, school districts and charter schools must continue to calculate ADA based on the rules adopted by the commissioner of education.

Do rules need to be adopted? Yes, Commissioner Rules 19 TAC §129.1021

Does this expressly apply to charters? Yes. Charter schools that have students that participate in blended learning programs must calculate the ADA based on rules adopted by the commissioner of education.

Does this bill contain a new reporting requirement for TEA/school districts? Yes. The ADA of students that participate in blended learning programs must now be included in all reports that include the ADA of the district and charter school.

Does this bill require the agency or ISD to post information to their website? SB 2084 does not expressly require the reporting of the new ADA calculation that includes the ADA of blended learning students, but the TEA creates various reports that created to be posted on the TEA website and those reports contain the ADA of school districts and charter schools.

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

SB 1404

Statute Amended or Added: Adds Subsection 42.006(a-2), Education Code

Summary: This bill requires districts and charter schools to report through TSDS/PEIMS for each campus the availability of and the number of students participating in expanded learning opportunities provided during an extended school day; an extended school year; or structured learning programs outside of the regular school days.

Change from current law: The commissioner must, by rule, require each school district and open-enrollment charter school to report through TSDS/PEIMS for each campus the availability of expanded learning opportunities provided during an extended school day; an extended school year; or structured learning programs outside of the regular school day, including before- and after-school programs and summer programs.

The commissioner must also require each school district and open-enrollment charter school to report through TSDS/PEIMS the number of students participating in each of the following categories of expanded learning opportunities:

- Rigorous coursework
- Mentoring
- Tutoring
- Physical activity
- Academic support
- Educational enrichment in one or more subjects, including fine arts, civic engagement, science, technology, engineering, and mathematics

Effective Date: June 15, 2017

Action required for 2017-18 school year: Districts and charter schools must report through TSDS/PEIMS for each campus the availability of and the number of students participating in expanded learning opportunities provided during an extended school day; an extended school year; or structured learning programs outside of the regular school days.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? The commissioner must adopt rules to require each school district and open-enrollment charter school to report through TSDS/PEIMS information regarding expanded learning opportunities.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. School districts and open-enrollment charter schools must report through PEIMS information regarding expanded learning opportunities.

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 195

Statute Amended or Added: Amends Section 42.155, Education Code

Summary: Relating to funding under the transportation allotment for public school students subject to a high risk of violence while walking to school.

Change from current law: TEC 42.155 is amended to allow for transportation allotment funding for transporting students living within 2 miles from school if they would be subject to a high risk of violence if they walked to school. The commissioner shall adopt rules to allow approved walking routes to be eligible for transportation funding.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Allow districts to submit mileage travelled on routes within 2 miles of a school for transportation funding. Adopt rules for allowing walking routes to be eligible for funding

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes. New commissioner rule should be in title 19, part2 chapter 61, subchapter AA, commissioner's rules on school finance

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. TEA will track the newly eligible mileage and transportation allotments

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

For further information, please contact: Al McKenzie, State Funding, (512) 463-9238

HB 3593, Sections 5 and 6

Statute Amended or Added: Amends Subsection 42.154(b) and adds Subsection 42.158(a-1), Education Code

Summary: Relating to instruction in career and technology education provided by public schools, including instruction in technology applications, cybersecurity, and computer coding, and to consideration of completed practicums.

Change from current law: TEC 42.154(b) is amended to include technology applications courses on cybersecurity as eligible CTE courses for state funding. TEC 42.158 is amended to allow school districts and charter schools to use funds from their CTE allotment to renovate instructional facilities to serve as cybersecurity laboratories.

Effective Date: June 15, 2017

Action required for 2017-18 school year: None. Districts will be able to report additional CTE FTEs for funding

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Yes, SBOE rules will need to be amended

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

For further information, please contact: Al McKenzie, State Funding, (512) 463-9238

HB 1081

Statute Amended or Added: Amends Subsections 42.158(b), (d-1) and (g), Education Code

Summary: Relating to the new instructional facility allotment under the foundation school program.

Change from current law: This bill raises the New Instructional facilities Allotment (NIFA) in TEC 42.158 to \$1,000 per qualifying student in average daily attendance. New instructional facilities are defined to include newly constructed, repurposed and leased facilities.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Increase the amount per ADA to \$1,000. Allow repurposed and leased facilities to be eligible for awards.

Implementation required beyond 2017-18 school year: Maintain new award amount and eligibility

Do rules need to be adopted? Yes, Commissioner rule 19 TAC, Part 2, Chapter 61 Rule §61.1034

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

For further information, please contact: Cassie Huggins, State Funding, (512) 463-9232

SB 1882

Statute Amended or Added: Adds Section 42.2511, Education Code

Summary: This bill allows a school district contract to partner with an open-enrollment charter school to operate a district campus and share education resources.

Change from current law: Provides funding under new section 42.2511 for school districts which contract with charter schools to operate a campus with an unacceptable accountability rating. The students on the campus operated by the charter school would be funded as if they were attending a charter school

Effective Date: June 15, 2017

Action required for 2017-18 school year: The agency need to finalize funding formulas and reports

Implementation required beyond 2017-18 school year: First campuses are expected to be operating for the 2019 school year

Do rules need to be adopted? Yes, Commissioner will need to adopt rules to implement this provision.

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

For further information, please contact: Al McKenzie, State Funding, (512) 463-9238

SB 2242

Statute Amended or Added: Adds Section 42.2532, Education Code

Summary: This bill addresses the elimination of double taxation of property due to jurisdictional disputes of like taxing units.

Change from current law: This bill provides for resolving disputes over multiple taxation by school districts for properties claimed by multiple districts. Creates new section 42.2532 to require the commissioner to adjust funding for districts as necessary to account for any resolutions of double taxation

Effective Date: June 21, 2017

Action required for 2017-18 school year: State funding will adjust property values and collections of affected districts as required

Implementation required beyond 2017-18 school year: State funding will adjust property values and collections of affected districts as required

Do rules need to be adopted? Rules may need to be amended

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

For further information, please contact: Al McKenzie, State Funding Division, (512) 463-9238

SB 1663

Statute Amended or Added: Amends Subsections 42.260(b) and (c), Education Code

Summary: This bill deals with contributions to, benefits from, late fees imposed by, and the administration of systems and programs administered by the Teacher Retirement System of Texas.

Change from current law: Section 42.260, Education Code is amended to include increases in formula funding made after 2001 as a source of funding to pay for group health coverage. The commissioner is no longer required to certify the amount of additional funding received by districts from HB3393 of 2001 and school districts requirements to spend that money only on group health insurance are disconnected from the funding increase. Spending requirements for group health coverage are retained and based on the sum of \$900 per employee

Effective Date: This Act takes effect September 1, 2017, except Section 10 takes effect immediately.

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Al McKenzie, State Funding, (512) 463-9238

HB 21

Statute Amended or Added: Amends Sections 12.106, 13.054, 42.103 and adds Subchapter H, Chapter 42, Sections 42.451-42.460 and Subchapter L, Chapter 42, Sections 42.601-4.609, Education Code

Summary: Relating to public school finance, including funding for the recruitment and retention of teachers and the support of participants in the public school employees group insurance program.

Change from current law: This bill makes changes to FSP formula funding including small district adjustment, EDA, EDA for charter schools and financial hardship grants. A commission on public school finance is created with a report due December 31, 2018. \$311 million of unencumbered appropriation from the Health and Human Services commission is transferred to the TEA to fund HB21. \$212 million of unencumbered appropriation from the Health and Human Services commission is transferred to the Teachers Retirement System of Texas.

Effective Date: This Act takes effect November 14, 2017, except Sections 1, 5, and 8 take effect September 1, 2018, and Sections 4 and 12 take effect September 1, 2023.

Action required for 2017-18 school year: Implement hardship grants.

Implementation required beyond 2017-18 school year: Small district adjustment, EDA yield increase and charter school EDA. School Finance commission

Do rules need to be adopted? No

Does this expressly apply to charters? Yes

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

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

For further information, please contact: Al McKenzie, State Funding, (512) 463-9238

HB 1571

Statute Amended or Added: Amends Sections 44.901 and 51.297, Education Code; Amends Section 2166.406, Government Code; Amends Section 302.001, Local Government Code; Amends Section 302.004, Local Government Code

Summary: HB 1571 redefines “energy savings performance contract” to align public education, higher education, and general government definitions of “energy savings performance contract” with the definition applicable to local government, allowing schools, state agencies, state institutions of higher education, and local governments to save more money over time by investing in cost-saving efficiency measures.

School boards, state agencies, and governing bodies of local governments are now authorized to use any available money to pay the provider of the energy or water conservation measures, by removing the restriction of using money borrowed from the state.

Change from current law: TEC §§44.901(a) and 51.927(a) redefines “energy savings performance contract” to align public education, higher education, and general government definitions of “energy savings performance contract” with the definition applicable to local government.

Redefines “energy savings performance contract” under TEC §§44.901(a) and 51.927(a), and Government Code §2166.406(a) to align the definition of “energy savings performance contract” under each applicable statute and rule with the definition applicable to local government.

Local Government Code §302.001(1)(3)(4) was amended by redefining the definitions of “baseline”, “energy savings,” and “energy savings performance contract.” The amended definition of energy savings includes anticipated equipment replacement and repair costs.

Previously under TEC §§44.901(f-1) and 51.927(g-1), Government Code §2166.406(f-1) and Local Government Code 302.004(1-1) school boards, state agencies, higher education agencies and local governments were authorized to use money to pay the provider of energy or water conservation measures with project savings realized under the energy savings performance contracts and money borrowed from the state could not be used to pay the provider of energy or water conservation measures. HB 1571 removes the restriction of money borrowed from the state to allow school boards, state agencies, higher education boards and local governments to use any available money, including money borrowed from the state, to pay for efficient systems and equipment that will result in savings in energy, water, or other costs.

Effective Date: May 29, 2017

Action required for 2017-18 school year: When entering into any new energy savings performance contract (requests for proposals/bids) on or after May 29, 2017, the new laws must be adhered to.

Implementation required beyond 2017-18 school year: Adherence to the law that is in effect and any subsequent amendments.

Do rules need to be adopted? No

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

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

SB 754

Statute Amended or Added: Amends Section 45.205(b), Education Code

Summary: Relating to the extension and modification of a public school district depository contract.

Change from current law: TEC 45.205(b) is amended to add an additional two-year contract extension before a school district is required to procure a new depository contract. Additionally, the contract terms can be amended if both parties agree.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Districts can extend and modify their depository contracts.

Implementation required beyond 2017-18 school year: Same as above.

Do rules need to be adopted? Yes, SBOE Rules, 19 TAC 09.52

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

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

SB 1813

Statute Amended or Added: Amends Sections 51.761 and 51.762, Education Code

Summary: This bill requires THECB to develop the common application with the assistance of high school counselors and private or independent institutions of higher education in addition to the existing required advisory committee.

Change from current law: Currently, THECB, with the assistance of an advisory committee composed of representatives of general academic teaching institutions, junior college districts, public state colleges, and public technical institutes, and with the consultation of all institutions of higher education that admit freshman-level students must adopt by rule

- a common admission application form for use by a person seeking admission as a freshman student to a general academic teaching institution; and

- an electronic common admission application form for use by a person seeking admission as a freshman student to an institution of higher education that admits freshman-level students, other than a general academic teaching institution.

High school counselors and private or independent institutions of higher education must now be represented on the advisory committee.

Effective Date: June 15, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 802

Statute Amended or Added: Adds Section, 61.0667, Education Code

Summary: Study and report regarding best practices in the provision of dual credit courses by public institutions of higher education and the transfer of course credit

Change from current law: The THECB must conduct a study to identify best practices in ensuring that courses transferred to an institution of higher education (IHE) for course credit, including courses offered for dual credit, apply toward a degree program at the institution. The study must evaluate existing articulation agreements that govern the transfer of course credit between IHEs and identify those IHEs that are implementing the best practices. On request, an institution of higher education must provide information to the board as necessary for the board to perform its duties under this requirement. Not later than November 1, 2018, THECB must submit to the legislature the results of its study and recommendations for legislative or other action.

Effective Date: May 29, 2017

Action required for 2017-18 school year: No (Action given to THECB)

Implementation required beyond 2017-18 school year: No

Do rules need to be adopted? No

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

For further information, please contact: College, Career, and Military Preparation Division;
(512) 936-6060

HB 2937

Statute Amended or Added: Adds Section 61.0764, Education Code

Summary: Relating to the establishment of a pilot program under which a licensed hospital may offer dual credit courses to public high school students.

Change from current law: Under the provisions of the bill, the Texas Higher Education Coordinating Board (THECB) would be required to develop and implement the medical dual credit program, through a which hospital meeting certain qualifications, selected by THECB, could offer dual credit courses to high school students under a partnership with a school district or institution of higher education. Students participating in the medical dual credit program could not be charged for tuition, fees, or required textbooks or other instructional materials; school districts would be required to cover these costs to the extent that they were not waived by the hospital offering the program. Participating students would be entitled to the benefits of the Foundation School Program for the time spent in the dual credit course, in accordance with rules adopted by the Commissioner of the Texas Education Agency (TEA).

Effective Date: June 9, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: College, Career, and Military Preparation Division;
(512) 936-6060

HB 2994

Statute Amended or Added: Amends Chapter 130, Education Code, by adding Subchapter L

Summary: Relating to workforce continuing education offered by public junior colleges

Change from current law: The bill amends the Education Code to allow contact hours attributable to the enrollment of a student in a workforce continuing education course to be included in formula funding. Currently, these hours are not included in formula funding.

The bill also amends the Education Code to allow a public community college to waive all or part of the tuition and fees charged for a workforce continuing education course for certain students, if all or a portion of the costs are covered by local entities, or if the course is taught in a federal correctional facility. The contact hours earned by students whose tuition and fees are waived would be eligible for formula funding.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No (Coordinating Board)

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

For further information, please contact: College, Career, and Military Preparation Division;
(512) 936-6060

HB 2790

Statute Amended or Added: Amends Subsections 133.002 (b), (f), and (g), 133.005 (a) and (b), and 133.006(e), Education Code

Summary: The bill amends the Education Code relating to funding for certain apprenticeship training programs.

Change from current law: Allows for programs conducted by independent apprenticeship committee and makes the requirement that such programs be sponsored by a public school district or state postsecondary institution optional.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: College, Career, and Military Preparation Division;
(512) 936-6060

SB 2065, Article 15

Statute Amended or Added: This bill does not specify what statute it adds or amends, other than repeal of Chapter 266 (S.B. 394), Acts of the 40th Legislature, Regular Session, 1927 (Article 2700a, Vernon's Texas Civil Statutes).

Summary: Article 15 of this bill describes the mechanism by which certain county boards of education may be abolished and dissolved. The provisions of Article 15, other than the repeal in Section 15.002, only apply to the Dallas County Schools county board of education.

Section 15.001, Subsection (a) states that Article 15 applies only to a county board of education, board of county trustees, or office of county school superintendent that provides transportation services in a county with a population of 2.2 million or more. Only Dallas County Schools meets this provision.

Section 15.001, Subsection (b) states that if on the effective date of the bill there is an existing contract for transportation services to which a county board of education, board of county trustees, or office of county school superintendent is a party, it shall be wound down in the manner described by Subsections (c)-(r) of Section 15.001.

Section 15.001, Subsection (c) abolishes, effective November 15, 2017, any county board of education, board of county school trustees, and office of county school superintendent in a county with a population in excess of 2.2 million and adjacent to a county with a population more than 800,000, unless the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved by a majority of voters at an election held on the November 2017 uniform election date in the county in which the county board of education, board of county school trustees, and office of county school superintendent are located. Subsections (d)-(s) of this section do not take effect in a county if the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved at the election held in the county under this subsection. This section only describes Dallas County and, therefore, only applies to the county board of education, Dallas County Schools.

Section 15.001, Subsection (d) requires that by November 15, 2017 the formation of a dissolution committee for each county board of education or board of county school trustees to be abolished as provided by Subsection (c). The dissolution committee is responsible for all financial decisions for each county board of education or board of county school trustees abolished by the bill, including asset distribution and payment of all debt obligations.

Section 15.001, Subsection (e) states that the dissolution committee required by this bill will be appointed by the Comptroller and include: 1) one financial advisor; 2) the superintendent of the participating component school district with the largest number of students in average daily attendance or the superintendent's designee; 3) one certified public accountant; 4) one auditor who holds a license or other professional credential; and 5) one bond counsel who holds a license or other professional credential.

Section 15.001, Subsection (f) states that the Open Meetings Act and Public Information Act apply to the dissolution committee.

Section 15.001, Subsection (g) bars dissolution committee members from receiving compensation but allows actual and necessary expense reimbursements.

Section 15.001, Subsection (h) states that the dissolution committee determines how all assets, liabilities, contracts, and services of the county board of education or board of county school trustees to be abolished are divided, transferred, or discontinued. The subsection also requires the dissolution committee to create a sinking fund to deposit money received for the payment of all debts of the county board of education or board of county school trustees.

Section 15.001, Subsection (i) states that the dissolution committee must continue providing transportation services to participating component school districts for the 2017-2018 school year. The dissolution committee must maintain current operations and personnel needed to provide the transportation services.

Section 15.001, Subsection (j) states that at the end of the 2017-2018 school year all school buses, vehicles, and bus service centers shall be transferred to participating component school districts in proportionate shares equal to the proportion that the membership in each district bears to total membership in the county as of September 1, 2018, at no cost to the districts.

Section 15.001, Subsection (k) states that the dissolution committee may employ for the 2017-2018 school year one person to assist in the abolishment of the county board of education or board of county school trustees.

Section 15.001, Subsection (l) states that on September 1, 2017, the participating component school district with the largest number of students in average daily attendance has the right of first refusal to buy, at fair market value, the administrative building of the county board of education or board of county school trustees.

Section 15.001, Subsection (m) states that an ad valorem tax assessed by a county board of education or board of county school trustees shall continue to be assessed by the county on behalf of the board for the purpose of paying the principal of and interest on any bonds issued by the county board of education or board of county school trustees until all bonds are paid in full. This subsection applies only to a bond issued before the effective date of this Act for which the tax receipts were obligated. On payment of all bonds issued by the county board of education or board of county school trustees the ad valorem tax may not be assessed.

Section 15.001, Subsection (n) states that in the manner provided by rule of the Commissioner, the county shall collect and use any delinquent taxes imposed by or on behalf of the county board of education or board of county school trustees.

Section 15.001, Subsection (o) states that the dissolution committee shall distribute the assets remaining after discharge of the liabilities of the county board of education or board of county school trustees to the component school districts in the county in proportionate shares equal to proportion that the membership in each district bears to total membership in the county as of September 1, 2017. The dissolution committee shall liquidate board assets as necessary to discharge board liabilities and facilitate the distribution of assets. A person authorized by the dissolution committee shall execute any documents necessary to complete the transfer of assets, liabilities, or contracts.

Section 15.001, Subsection (p) states that the dissolution committee shall encourage the component school districts to: 1) continue sharing services received through the county board of education or board of county school trustees; and 2) give preference to private sector contractors to continue services provided by the county board of education or board of county school trustees.

Section 15.001, Subsection (q) states that the chief financial officer and financial advisor for the county board of education or board of county school trustees shall provide assistance to the dissolution committee in abolishing the county board of education or board of county school trustees.

Section 15.001, Subsection (r) states that TEA shall provide assistance to a dissolution committee in the distribution of assets, liabilities, contracts, and services of a county board of education or board of county school trustees abolished by this Act.

Section 15.001, Subsection (s) states that any dissolution committee created as provided by this Act is abolished on the date all debt obligations of the county board of education or board of county school trustees are paid in full and all assets distributed to component school districts.

Section 15.002 repeals Chapter 266 (S.B. 394), Acts of the 40th Legislature, Regular Session, 1927 (Article 2700a, Vernon's Texas Civil Statutes).

Change from current law: This is new law.

Effective Date: September 1, 2017

Action required for 2017-18 school year: The Commissioner must appoint a person to the dissolution committee, if a majority of Dallas County voters do not vote on November 7, 2017 to continue Dallas County Schools as an entity. TEA must provide support to the required dissolution committee in its dissolution activities.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Commissioner will need to adopt rules to implement this legislation.

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

For further information, please contact: Office of General Counsel, (512) 463-9720

SB 1566, Sections 18 and 19

Statute Amended or Added: This bill does not specify what statute it adds or amends, other than repeal of Chapter 266 (S.B. 394), Acts of the 40th Legislature, Regular Session, 1927 (Article 2700a, Vernon's Texas Civil Statutes).

Summary: Section 18 of this bill describes the mechanism by which certain county boards of education may be abolished and dissolved. The provisions of Section 18 only apply to the Dallas County Schools county board of education. Section 19 repeals Chapter 266 (S.B. 394), Acts of the 40th Legislature, Regular Session, 1927 (Article 2700a, Vernon's Texas Civil Statutes).

Subsection (a) abolishes, effective November 15, 2017, any county board of education, board of county school trustees, and office of county school superintendent in a county with a population in excess of 2.2 million and adjacent to a county with a population more than 800,000, unless the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved by a majority of voters at an election held on the November 2017 uniform election date in the county in which the county board of education, board of county school trustees, and office of county school superintendent are located. Subsections (b)-(q) of this section do not take effect in a county if the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved at the election held in the county under this subsection. This section only describes Dallas County and, therefore, only applies to the county board of education, Dallas County Schools.

Subsection (a-1) describes the required wording of the ballot to vote on the continuation of the county board of education described in Subsection (a).

Subsection (b) requires that by November 15, 2017 the formation of a dissolution committee for each county board of education or board of county school trustees to be abolished as provided by Subsection (a). The dissolution committee is responsible for all financial decisions for each county board of education or board of county school trustees abolished by the bill, including asset distribution and payment of all debt obligations.

Subsection (c) states that the dissolution committee required by this bill will be appointed by the Comptroller and include: 1) one financial advisor; 2) the superintendent or the superintendent's designee of each participating component school district that chooses to participate in the dissolution committee; 3) one certified public accountant; 4) one auditor who holds a license or other professional credential; 5) one bond counsel who holds a license or other professional credential; and 6) one additional representative appointed by the Commissioner.

Subsection (d) states that the Open Meetings Act and Public Information Act apply to the dissolution committee.

Subsection (e) bars dissolution committee members from receiving compensation but allows actual and necessary expense reimbursements.

Subsection (f) states that the dissolution committee determines how all assets, liabilities, contracts, and services of the county board of education or board of county school trustees to be abolished are divided, transferred, or discontinued. The subsection also requires the dissolution committee to create a sinking fund to deposit money received for the payment of all debts of the county board of education or board of county school trustees.

Subsection (g) states that the dissolution committee must continue providing transportation services to participating component school districts for the 2017-2018 school year. The dissolution committee must maintain current operations and personnel needed to provide the transportation services.

Subsection (h) states that at the end of the 2017-2018 school year all school buses, vehicles, and bus service centers shall be transferred to participating component school districts in proportionate shares equal to the amount of buses currently assigned to each district. The dissolution committee shall audit and confirm assignment of buses by vehicle identification numbers or some other agreed upon means assigned to applicable districts. Final distribution and assignment of these assets will be not later than September 1, 2018, at no cost to the districts.

Subsection (i) states that the dissolution committee may employ for the 2017-2018 school year one person to assist in the abolishment of the county board of education or board of county school trustees.

Subsection (j) states that on September 1, 2017, the participating component school district with the largest number of students in average daily attendance has the right of first refusal to buy, at fair market value, the administrative building of the county board of education or board of county school trustees.

Subsection (k) states that an ad valorem tax assessed by a county board of education or board of county school trustees shall continue to be assessed by the county on behalf of the board for the purpose of paying the principal of and interest on any bonds issued by the county board of education or board of county school trustees until all bonds are paid in full. This subsection applies only to a bond issued before the effective date of this Act for which the tax receipts were obligated. On payment of all bonds issued by the county board of education or board of county school trustees the ad valorem tax may not be assessed.

Subsection (l) states that in the manner provided by rule of the Commissioner, the county shall collect and use any delinquent taxes imposed by or on behalf of the county board of education or board of county school trustees.

Subsection (m) states that the dissolution committee shall distribute the assets remaining after discharge of the liabilities of the county board of education or board of county school trustees to the component school districts in the county in proportionate shares equal to the proportion that the amount of money a district has submitted to the county board of education or board of county school trustees has to the total amount of money submitted by all districts. The

dissolution committee shall liquidate board assets as necessary to discharge board liabilities and facilitate the distribution of assets. A person authorized by the dissolution committee shall execute any documents necessary to complete the transfer of assets, liabilities, or contracts.

Subsection (n) states that the dissolution committee shall encourage the component school districts to: 1) continue sharing services received through the county board of education or board of county school trustees; and 2) give preference to private sector contractors to continue services provided by the county board of education or board of county school trustees.

Subsection (o) states that the chief financial officer and financial advisor for the county board of education or board of county school trustees shall provide assistance to the dissolution committee in abolishing the county board of education or board of county school trustees.

Subsection (p) states that TEA shall provide assistance to a dissolution committee in the distribution of assets, liabilities, contracts, and services of a county board of education or board of county school trustees abolished by this Act.

Subsection (q) states that any dissolution committee created as provided by this Act is abolished on the date all debt obligations of the county board of education or board of county school trustees are paid in full and all assets distributed to component school districts.

Change from current law: This is new law.

Effective Date: September 1, 2017

Action required for 2017-18 school year: The Commissioner must appoint a person to the dissolution committee, if a majority of Dallas County voters do not vote on November 7, 2017 to continue Dallas County Schools as an entity. TEA must provide support to the required dissolution committee in its dissolution activities.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Commissioner will need to adopt rules to implement this legislation.

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

For further information, please contact: Office of General Counsel, (512) 463-9720

HB 928

Statute Amended or Added: Adds Section 264.1211, Family Code

Summary: Relates to tuition and fee waivers for institutions of higher education for children who are in foster care or eligible children who were adopted out of the foster care system.

Change from current law: An employee of the Department of Family and Protective Services (DFPS) who is a member of a community resource coordination group must inform the group about the tuition and fee waivers for institutions of higher education (IHEs) that are available to eligible children in foster care and eligible adopted children. The DFPS employee must also collaborate with the superintendent of each school district in the area served by the group and each school counselor assigned to a campus in the area served by the group to identify foster children and adopted children who are eligible for tuition and fee waivers at an IHE. After identifying eligible children, the DFPS employee would be required to facilitate each child's transition to an IHE by doing the following:

- Assisting the child with the completion of any applications for admission or for financial aid
- Arranging and accompanying the child on campus visits
- Assisting the child in researching and applying for private or institution-sponsored scholarships
- Identifying whether the child is a candidate for appointment to a military academy
- Assisting the child in registering and preparing for college entrance examinations, including arranging for the payment of any examination fees by the department

Effective Date: September 1, 2017

Action required for 2017-18 school year: School district personnel must coordinate with DFPS to identify foster children and adopted children who are eligible for tuition and fee waivers at an IHE.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? 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

For further information, please contact: Special Populations, (512) 463-9414

SB 1021

Statute Amended or Added: Amends Subsection 531.0051(c), 531.02031(a) and (b), Government Code. Reenacts Section 531.251, Government Code

Summary: Relates to reports on the consolidation and certain functions of the health and human services system, including advisory committees, within the system.

The amendment to Section 531.251 of the Government Code reenacts the Texas System of Care Framework which requires collaboration among state agencies, including TEA, to develop local mental health services and supports in communities for minors who are receiving residential mental health services or inpatient mental health hospitalization, are at risk of developing a serious emotional disturbance, or are at risk of being removed from home for placement in a facility to receive mental health services.

The statute requires HHSC to enter into a memorandum of understanding (MOU) with five state agencies, including TEA, to specify the roles and responsibilities in implementing a comprehensive plan for the delivery of mental health services and supports using the systems of care framework; to identify appropriate systems of care funding, governance, administration and best practices; to develop an evaluation system to measure cross-system performance and outcomes; and collaborate with stakeholders including youth who receive mental health services and their family members.

Change from current law: Reenacts a law that was repealed in the 84th session.

Effective Date: Immediately

Action required for 2017-18 school year: Enter into a MOU with HHSC

Implementation required beyond 2017-18 school year: Implement the MOU

Do rules need to be adopted? No

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

For further information, please contact: Julie Wayman, Special Populations, (512) 936-6403

HB 2904

Statute Amended or Added: Amends Sections 531.055, Government Code

Summary: Relates to the development and implementation of an MOU among state agencies, including TEA, that are responsible for the development and implementation of the MOU.

Change from current law: Requires the development of an MOU between TEA and other state agencies designed to promote a system of local-level interagency staffing groups to identify and coordinate services for persons needing multiagency services to be provided in the most appropriate, least restrictive setting. The division within the Health and Human Services Commission that coordinates the policy and delivery of mental health services will oversee the development and implementation of the joint memorandum of understanding. The MOU must clarify the statutory responsibilities of each agency in relation to persons needing multiagency services. The state agencies must also ensure that specific information is made available from state-level interagency staffing groups. The statute clarifies that "least restrictive setting" means a service setting for a person that, in comparison to other available service settings, is one that is most able to meet the identified needs of the person, that prioritizes a home and community-based care setting, and that engages the strengths of the family.

Effective Date: September 1, 2017

Action required for 2017-18 school year: TEA must begin work with the other state agencies on the MOU.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? No

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

For further information, please contact: Special Populations, (512) 463-9414

HB 3047

Statute Amended or Added: Amends Section 551.127, Government Code

Summary: Section 551.127 permits a governmental body to conduct an open or closed meeting by videoconference call. This section was amended by Ch. 159 / SB 984 and Ch 685 / HB 2414 of the 83(R) resulting in two versions of Subsections (c), (e), and (h). HB 3047 eliminates the versions of Subsections (c), (e), and (h) of Ch. 685. HB 3047 also adds Subsection (a-3) providing that a member of a governmental body must be considered absent from any portion of the meeting during which audio or video communication with the member is lost or disconnected. The meeting may only be continued if a quorum of the governmental body remains present.

Change from current law: See summary above.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Office of General Counsel, (512) 463-9720

HB 523

Statute Amended or Added: Amends Section 551.128(b-1), Government Code

Summary: This bill requires certain governmental bodies, including an elected school district board of trustees for a school district with a student enrollment of 10,000 or more, to make a video and audio recording of work sessions and special called meetings and make an archived copy of that recording available on the Internet.

Change from current law: Previously, under section 551.128 of the Government code, a governmental body of a school or district that satisfied the enrollment criteria in subsection (b-1) was only required to make a video and audio recording and Internet archive of each regularly scheduled open meeting. Work sessions and special called meetings are not included in the current law.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Beginning on September 1, 2017, an elected school district board of trustees and the governing body of a charter holder or open-enrollment charter school of a school district or charter school with a student enrollment of 10,000 or more must make a video and audio recording of each work sessions and special called meetings and make an archived copy of that recording available on the Internet.

Implementation required beyond 2017-18 school year: Ongoing

Do rules need to be adopted? No

Does this expressly apply to charters? Pursuant to section 12.1051(b) of the Education Code, HB 523 applies to the governing body of a charter holder or open-enrollment charter school with a student enrollment of 10,000 or more.

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. An elected school district board of trustees and the governing body of a charter holder or open-enrollment charter school of a school district or charter school with a student enrollment of 10,000 or more is required to make an archived copy of the video and audio recording of each work sessions and special called meetings available on its website.

For further information, please contact: Division of Governance and Investigations (512) 475-3697

HB 3107

Statute Amended or Added: Amends Sections 552.221, 552.261, 552.275 and 552.3215, Government Code

Summary: HB 3107 amends the Public Information Act concerning the withdrawal of a public information request due to a requestor's inaction, the formulation of a cost estimate for multiple requests submitted by the same requestor in one day, the optional establishment of a limit of personnel time spent processing requests per requestor, and a complainant's ability to seek declaratory judgment or injunctive relief against a governmental body if a district or county attorney fails to do so.

HB 3107 adds Section 552.221(e) stating a request is considered withdrawn if the requestor fails to inspect the information on or before the 60th day after the date the information is made available or fails to pay charges on or before the 60th day after the date the requestor is informed of the charges. HB 3107 also adds Section 552.261(e) permitting all requests received in one calendar day from an individual to be treated as a single request for purposes of calculating costs. Multiple requests from separate individuals submitting requests on behalf of an organization may not be combined for this purpose. GC Sections 552.275(a)-(b) authorize a governmental body to establish a reasonable limit, not less than 36 hours in a 12-month period, on the amount of time that personnel are required to spend producing public information for a requestor without recovering the costs attributable to the personnel time related to that requestor. HB 3107 changes a "reasonable limit" to "reasonable monthly and yearly limits" and provides the yearly time limit may not be less than 36 hours and the monthly time limit may not be less than 15 hours for a requestor for a one-month period. GC Sections 552.275(a)-(b) authorize a governmental body to establish a reasonable limit, not less than 36 hours in a 12-month period, on the amount of time that personnel are required to spend producing public information for a requestor without recovering the costs attributable to the personnel time related to that requestor. HB 3107 changes a "reasonable limit" to "reasonable monthly and yearly limits" and provides the yearly time limit may not be less than 36 hours and the monthly time limit may not be less than 15 hours for a requestor for a one-month period.

Change from current law: See summary above.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Office of General Counsel, (512) 463-9720

SB 79

Statute Amended or Added: Amends Subsections 552.221(b-1) and (b-2), Government Code

Summary: In response to a public information request, the PIA requires a governmental body to either provide the responsive information for inspection or duplication in its offices or send copies of the information to the requestor by U.S. mail. However, GC Section 552.221(b-1) permits a political subdivision to also refer a requestor to the exact Internet location or URL address on the website of the political subdivision containing the responsive information. If the requestor prefers to receive the responsive information in a manner other than the web address, the political subdivision must supply the information as otherwise required by the PIA. GC Section 552.221(b-2) provides that if the web address is provided by the political subdivision in an email, the email must include a statement that the requestor may access the requested information by inspection, duplication, or through U.S. mail. SB 79 amends these subsections to extend this additional method of production to all governmental bodies, including TEA, subject to the PIA.

Change from current law: See summary above.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Office of General Counsel, (512) 463-9720

HB 501

Statute Amended or Added: Amends Section 572.023 and Adds Section 572.0295, Government Code

Summary: This bill requires state officers (including the Commissioner and SBOE and SBEC Board Members) to report additional transactions on their Personal Financial Statements. In particular, certain goods and services contracts with persons that do business with governmental entities will have to be reported. Members of the Legislature who serve as bond counsel will have to report on such activities. State Officers will have to make more specific reports about referrals, unless the information was privileged or confidential. The bill includes requirements to describe the business entities a state officer has a 50% share in, reports about a dependent child's ownership of 50% on an entity has been expanded to include when a child with other children and parents own 50%, reporting if one works under a government contract, and the reporting of referrals has been limited to exclude confidential or privileged referrals and judicial appointments. The bill also provides via new GC Section 572.0295 for procedures to amend Personal Financial Statements.

Change from current law: See summary above.

Effective Date: January 8, 2019

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: The Texas Ethics Commission, P. O. Box 12070, Austin, Texas 78711-2070, (512) 463-5800.

HB 297

Statute Amended or Added: Adds Section 662.065, Government Code

Summary This bill identifies January 9 as Law Enforcement Appreciation Day.

Change from current law: This new law permits Law Enforcement Appreciation Day to be regularly observed in public school and other places. TEA must develop recommendations for the observation of Law Enforcement Appreciation Day through appropriate activities in the public schools.

Effective Date: September 1, 2017

Action required for 2017-18 school year: TEA must develop recommendations for the observation of Law Enforcement Appreciation Day through appropriate activities in the public schools. No new requirements for school districts.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Curriculum Division, (512)463-9581
curriculum@tea.texas.gov

SB 295

Statute Amended or Added: Amends Section 1201.0245, Government Code

Summary: SB 295 exempts refunding bonds and CABs issued for transportation project financing from the restrictions in Section 1201.0245, Government Code.

Change from current law: Refunding bonds and CABs that are issued for transportation project financing are no longer required to adhere to the restrictions under Government Code §1201.0245.

The changes in the law enacted by SB 295 are not applicable to a refunding bond or CAB issued before the effective date of SB 295, which is September 1, 2017.

Effective Date: September 1, 2017

Action required for 2017-18 school year: School districts that issue refunding bonds or CABs for transportation project financing on or after September 1, 2017, do not have to comply with Government Code §1201.0245. Adherence to Government Code §1201.0245 is still required for refunding bonds and CABs that are not issued for transportation financing projects.

Implementation required beyond 2017-18 school year: School district must continue to adhere to the changes in the law under Government Code §1201.0245.

Do rules need to be adopted? No

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? There are no new reporting requirements. School districts must continue to report refunding bonds and CABs according to the requirements currently in effect.

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

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

HB 2647

Statute Amended or Added: Amends Section 2256.009, Government Code

Summary: HB 2647 authorizes interest-bearing banking deposits that are guaranteed or insured by the Federal Deposit Insurance Corporation (FDIC) or its successor or the National Credit Union Share Insurance Fund (NCUSIF) or its successor, with certain exceptions, as authorized investments under the Public Funds Investment Act.

Interest-bearing banking deposits other than those guaranteed or insured deposits by FDIC or its successor, or the NCUSIF or its successor are also authorized as investments under the Public Funds Investment Act if certain criteria are met.

Change from current law: Previously some interest-bearing banking deposits, including those that were and were not insured by the FDIC, NCUSIF, and the successors of either of those entities were not authorized investments under the Public Funds Investment Act. Accounts that were not previously authorized as investments under the Public Funds Investment Act included money market deposit accounts.

Government Code §2256.009 is amended to include the types of investments that are authorized for governmental entities under the Public Funds Investment Act. Interest-bearing banking deposits that are guaranteed or insured by the FDIC, the NCUSIF or the successors of either of those entities, and other interest-bearing banking deposits that are not insured by the FDIC, the NCUSIF, or the successors of either are authorized investments under the Public Funds Investment Act if certain criteria are met.

The changes in the law made by HB 2647 are applicable only to authorized investments of public funds by governmental entities, Chapter 2256.009, Government Code.

Effective Date: June 15, 2017

Action required for 2017-18 school year: School districts and charter schools must comply with the changes in the law under Government Code §2256.009.

Implementation required beyond 2017-18 school year: School districts and charter schools must continue to comply with the changes in the law under Government Code §2256.009.

Do rules need to be adopted? No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Not expressly, but school districts and charter schools are currently required to adhere to the Public Funds Investment Act, complete required reports, and also complete and submit depository contracts to the Texas Education Agency.

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

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

HB 1930

Statute Amended or Added: Repeals Chapter 2266 (Financial Accounting and Reporting), Government Code; Amends Section 112.002, Local Government Code

Summary: It is important that governmental entities comply with generally accepted accounting principles (GAAP) as established by the Governmental Accounting Standards Board (GASB) when performing financial accounting to ensure clarity and consistency. HB 1930 repeals certain provisions of current law to prohibit certain county auditor regulations from being inconsistent with GAAP and amends Local Government Code provisions relating to a county's financial accounting and reporting system with regard to other postemployment benefits other than pension benefits, known as OPEB.

Specifically, HB 1930 repeals Government Code provisions governing financial accounting and reporting requirements for the state and its political subdivisions relating to the statutory modified accrual basis of accounting and acceptable alternative accounting principles with regard to OPEB.

Local Government Code for a county's financial accounting and reporting system in a county with a county auditor and a population of 190,000 or more was amended to prohibit said county from operating a financial accounting and reporting system that is not in compliance with GAAP as established by the GASB and requires county auditor's regulations in said counties to comply with all requirements of GAAP as established by the GASB.

Change from current law: Government Code, Chapter 2266 (Financial Accounting and Reporting) is repealed.

Previously some counties that contained a population of 190,000 or more were not adhering to GAAP requirements for OPEB, as established by GASB. Some counties and their county auditors were using modified methods to perform required accounting procedures and those methods did not meet the standards established for GAAP by GASB. Changes in the law made by HB 1930 address the issues of counties and county auditors performing financial accounting and reporting duties that are inconsistent with the requirements for OPEB and GAAP as established by GASB.

Local Government Code §112.002, Local Government Code, was amended by adding Subsection (c), which prohibits a regulation adopted under this section (Accounting System in County with County Auditor and Population of 190,000 or More) from being inconsistent with GAAP as established by the GASB.

Changes in the law made by HB 1930 apply to financial accounting and reporting by a governmental entity that, immediately before the effective date of HB 1930, was subject to Chapter 2266 of the Government Code, beginning with the governmental entity's first fiscal year that begins on or after September 1, 2018.

Effective Date: June 15, 2017

Action required for 2017-18 school year: Governmental entities and county auditors subject to the changes in the law must read the changes in the laws, gain an understanding of the changes, and update accounting and reporting systems so that the governmental entities and county auditors are in full compliance with the changes on or before September 1, 2018.

Implementation required beyond 2017-18 school year: Yes. A governmental entity that, immediately before the effective date of this Act, June 15, 2017, was subject to Chapter 2266, Government Code, must comply with the changes in the law beginning with the governmental entity's first fiscal year that begins on or after September 1, 2018.

Do rules need to be adopted? No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? The existing financial accounting and reporting systems and reports for those governmental entities that were not subject to or were not in full compliance with GAAP must begin fully complying with GAAP as established by GASB. In addition, governmental entities must ensure that their financial accounting and reporting systems comply with the changes in HB 1930 for OPEB.

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

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

HB 3157

Statute Amended or Added: Amends Section 36.004, Health and Safety Code

Summary: This bill requires the rules related to vision screening of students to allow an individual who attends a public or private school to be screened using photo screening to detect vision disorders.

Change from current law: Under current law, the executive commissioner of the Department of State Health Services by rule must require screening of individuals who attend public or private preschools or schools to detect vision and hearing disorders and any other special

senses or communication disorders specified by the executive commissioner. This bill requires the rules to allow an individual who attends a public or private school to be screened using photo screening to detect vision disorders.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Curriculum Division, (512) 463-9581, curriculum@tea.texas.gov

HB 1076

Statute Amended or Added: Amends Section 37.001, Health and Safety Code

Summary: This bill changes requirements for the mandatory spinal screening of children in public and private schools.

Change from current law: Current law requires the Department of State Health Services (DSHS), in cooperation with the TEA, to establish a program to detect abnormal spinal curvature in children. The of the Health and Human Services Commission, in cooperation with TEA, is required to adopt rules for the mandatory spinal screening of children in grades 6 and 9 who attend public or private schools. DSHS is required to coordinate the spinal screening program with any other screening program conducted by the department on those children.

This legislation eliminates the required grade levels for spinal screening from statute and instead requires the executive commissioner of the Health and Human Services Commission in cooperation with TEA, when adopting rules for spinal screening of children, to consider the most recent nationally accepted and peer-reviewed scientific research in determining the appropriate ages for conducting the spinal screening. The bill requires adoption of rules not later than January 1, 2018.

Effective Date: September 1, 2017; Applies beginning with the 2018-2019 school year

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: Schools will be required to adjust spinal screening based on rules adopted by HHSC.

Do rules need to be adopted? The executive commissioner of the Health and Human Services Commission, must adopt rules in cooperation with TEA not later than January 1, 2018.

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

HB 4056

Statute Amended or Added: Amends Section 161.325, Health and Safety Code and Subsection 21.044(c-1), Education Code

Summary: This bill adds programs and practices in building skills related to managing emotions, establishing and maintaining positive relationships, and responsible decision-making; trauma-informed practices; positive school climate; and positive behavior supports to the areas that must be addressed on the list of recommended best practice-based programs in the areas of early mental health intervention, substance abuse prevention, substance abuse intervention, and suicide prevention.

Change from current law: Currently, the Department of State Health Services (DSHS), in coordination with TEA and ESCs, must provide and annually update a list of recommended best-practice programs related to mental health that districts may select from for implementation. In addition to current topics, the list must include programs related to the following:

- building skills related to managing emotions, establishing and maintaining positive relationships, and responsible decision-making
- trauma-informed practices
- positive school climates
- positive behavior supports

“School climate” is defined as the quality and character of school life, including interpersonal relationships, teaching and learning practices, and organizational structures, as experienced by students enrolled in the school district, parents of those students, and personnel employed by the district.

The bill also adds references to research-based practices in sections that refer to best practice-based programs.

Effective Date: June 12, 2017

Action required for 2017-18 school year: DSHS and TEA must update the list of recommended best-practice programs related to mental health to include programs related to new areas added by this legislation.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Curriculum Division, (512) 463-9581
curriculum@tea.texas.gov

SB 1177

Statute Amended or Added: Amends Section 221.0071, Human Resources Code

Summary: SB 1177 relates to requirements for charter schools established for the benefit of certain juvenile offenders. Specifically, amending the Human Resources Code to allow for establishment and funding of charter schools authorized therein. This bill would effectuate a new type of charter school that is distinctly authorized to serve juvenile offenders in juvenile justice facilities.

Change from current law: Section 221.0071, Human Resources Code, is amended by adding new subsections (c), (d), and (e). New subsection (c) requires the commissioner of education to adopt an application-for-charter (for detention, correctional or residential facilities described by subsection 'a') that is comparable (in form and procedure) to education code 12.110, relating to applications-for open-enrollment charter schools. New subsection (d) vests funding (open-enrollment charter school funding) entitlement to charter schools authorized under this statute in the same manner as an open-enrollment school operating under subchapter D, Chapter 12, Education Code. New subsection (e) requires the commissioner of education to adopt rules necessary to implement this section.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Adoption of rules necessary to implement the amendments to §221.0071, Human Resources Code.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? Commissioner rule, 19 TAC Chapter 100 Subchapter AA

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

For further information, please contact: Charter School Administration, (512) 463-9575 or Office of General Counsel, (512) 463-9720

HB 91

Statute Amended or Added: Adds Sections 106.001, 106.002, 106.003, Labor Code

Summary: HB 91 requires each state licensing authority that has an eligibility requirement relating to an applicant's criminal history to review that criminal history requirement and make a recommendation regarding whether the requirement should be retained, modified, or repealed. Each authority must submit the results of their review and their recommendations to state leadership.

Change from current law: This is a new requirement.

Effective Date: June 12, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Doug Phillips, Investigations, (512) 936-8400

SB 2105

Statute Amended or Added: Amends Subsection 302.014(a), Labor Code

Summary: Relating to the requirement that the Texas Workforce Commission provide certain employment information for secondary school students.

Change from current law: SB 2105 requires the Texas Workforce Commission to provide information on all CTE partnership opportunities with business and industry, and professional development and learning opportunities (i.e., internships, industry mentorships, summer

programs, after-school programs, career-based student leadership opportunities) that are available regionally.

SB 2105 amends current law relating to the requirement that the Texas Workforce Commission provide certain employment information for secondary school students.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Requires the Texas Workforce Commission to provide the Texas Education Agency with certain information at least each quarter, disaggregated by county or other appropriate region, including career and technical education partnership opportunities with business and industry, and professional development opportunities for teachers and learning opportunities for students through industry mentorships, internships, summer programs, after-school programs, and career-based student leadership opportunities. Makes nonsubstantive changes.

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: College, Career, and Military Preparation Division; (512) 936-6060

SB 877

Statute Amended or Added: Amends Section 504.053(e), Labor Code

Summary: SB 877 makes a political subdivision, including a school district, that self-insures either individually or collectively liable for attorney's fees as provided by provisions of the Texas Workers' Compensation Act relating to attorney's fees for the representation of an insurance carrier whose interest is not actively represented by an attorney in a third-party action.

Change from current law: See summary above.

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: Office of General Counsel, (512) 463-9720

SB 622

Statute Amended or Added: Adds Section 140.0045, Local Government Code

Summary: School district expenditures that are statutorily required to be published in a newspaper must be itemized in the proposed budget of each school district and a comparison of those expenditures to actual expenditures for the same purpose from the preceding fiscal year must be completed. A clear comparison of the expenditures must be completed and must be published in a newspaper.

Changes to the law enacted by SB 622 will allow all stakeholders to gain a clearer understanding of school district expenditures.

Change from current law: Previously school districts were not required to separately line item and compare expenditures in the district's proposed budget to actual expenditures for the same purpose in the previous year's budget of the district for expenditures that contain a statutory public notice requirement.

Local Government Code §140.0045 was amended and requires the proposed budgets of school districts to contain a separate line item for each expenditure that is statutorily required to be published in a newspaper (statutorily required public notices). A comparison of the expenditures in the proposed budget and actual expenditures for the same purpose from the preceding fiscal year must be completed. The comparison must be clear and the comparison must be published in a newspaper in each county which the district or any part of the district is located.

Effective Date: June 9, 2017

Action required for 2017-18 school year: School district budgets, including amendments to budgets that are created on or after January 1, 2018, that contain public notice requirements must adhere to the changes in the law enacted by SB 622.

Implementation required beyond 2017-18 school year: Budgets created by school districts on or after January 1, 2018, must adhere to the new requirements under Local Government Code §140.0045.

Do rules need to be adopted? Yes, Commissioner rule 19 TAC §109.41. The Financial Accountability System Resource Guide (FASRG) will need to be updated.

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes, SB 622 will require school districts to compare certain itemized public notice expenditures in the proposed budget to actual expenditures for the same purpose in the final budget from the preceding fiscal year. The comparison must be clear and the comparison must be published in a newspaper in each county which the district or any part of the district is located.

Does this bill require the agency or ISD to post information to their website? This bill does not expressly require it, but school districts are currently required to post their budgets on their websites to adhere to other applicable statutes and laws.

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

HB 1508

Statute Amended or Added: Adds Sections 53.151, 53.152, and 53.153, Occupations Code

Summary: This bill requires entities providing educational programs for issuance of an initial occupational license (including educator preparation programs) to provide applicants and enrollees with information regarding criminal offenses as they relate to becoming licensed and remaining licensed. This bill also makes an entity that does not provide such notice liable for tuition, application fees, and reasonable legal costs if an individual prepared by the entity is denied an occupational license because of a criminal conviction.

Change from current law: There is no provision in current law that requires an entity to provide applicants with information regarding the preliminary criminal history evaluation as provided in Texas Occupations Code, Subchapter D. There is no provision in current law that makes an entity liable for tuition, fees, and legal costs if entity does not provide applicant with information and applicant is denied licensure because of a criminal conviction.

Effective Date: September 1, 2017

Action required for 2017-18 school year: Entities, including educator preparation programs, are required to provide applicants with information regarding the preliminary criminal history evaluation.

Implementation required beyond 2017-18 school year: Yes

Do rules need to be adopted? Yes. Rules in 19 TAC Chapter 227, Subchapter A need to be adopted by the SBEC and reviewed by the SBOE.

Does this expressly apply to charters? Yes, if the charter is an approved educator preparation 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

For further information, please contact: Educator Preparation, (512) 936-8400

HB 3049

Statute Amended or Added: Adds Subsection 1301.354(c-1), Occupations Code

Summary: Relating to the number of hours of work experience required of a plumber's apprentice to take an examination for a plumber's license.

Change from current law: This bill amends the Occupations Code relating to the number of hours of work experience required of a plumber's apprentice to take an examination for a plumber's license. The bill allows the board to credit an applicant seeking a plumber's license with up to 250 hours of the work experience required to take the examination if the applicant has completed a coherent sequence of study in a construction trade Career and Technology Education program

Effective Date: May 29, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

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

For further information, please contact: College, Career, and Military Preparation Division; (512) 936-6060

HB 1935

Statute Amended or Added: Amends Section 46.03, Penal Code

Summary: This bill amends 46.03 Penal Code by changing an "illegal" knife to "location-restricted" knife, which is prohibited on school premises.

Change from current law: Changes the description of a knife

Effective Date: September 1, 2017

Action required for 2017-18 school year: Only impacts TSDS/PEIMS language

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? No

Does this expressly apply to charters? Yes, in their TSDS/PEIMS reporting, only.

Does this bill contain a new reporting requirement for TEA/school districts? Not a new reporting requirement, just a change in terminology for an existing report.

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

For further information, please contact: Candace Stoltz, School Safety, Discipline, and Emergency Management, (512) 463-9286

SB 693

Statute Amended or Added: Amends Section 547.701(e), Transportation Code

Summary: This bill deals with three-point seat belts on buses that transport schoolchildren.

Change from current law: Amends Transportation Code to allow school districts purchasing school buses for model year 2018 or later to avoid purchasing buses with 3-point seat belts if the board of trustees determines that the district's budget does not permit the purchase and votes to approve the resolution in a public meeting

Effective Date: September 1, 2017

Action required for 2017-18 school year: None

Implementation required beyond 2017-18 school year: None

Do rules need to be adopted? 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

For further information, please contact: Al McKenzie, State Funding, (512) 463-9238

HB 2369

Statute Amended or Added: Amends Section 13.044 and adds Sections 13.0441 and 13.088, Water Code

Summary: House Bill 2369 amends the Water Code to prohibit a municipally owned utility that provides retail water or sewer utility service to a public school district from charging the district a fee based on the number of district students or employees in addition to the rates the utility charges the district for the service. The bill authorizes a public school district charged a fee that violates such prohibition to appeal the charge by filing a petition with the Public Utility Commission of Texas.

Change from current law: The heading to Water Code, § 13.044 is amended by specifying “certain special” districts. The heading is changed from “Rates Charged by Municipality to Districts” to “Rate Charged by Municipality to Certain Special Districts.”

Water Code, § 13.0441 is added to permit public school districts that are charged a fee that violates the newly added Water Code, § 13.088 to appeal the charge by filing a petition with the Public Utility Commission of Texas.

Water Code, § 13.088 is added to prohibit a municipally owned utility that provides retail water or sewer utility service to a public school district from charging the district a fee based on the number of district students or employees in addition to the rates the utility charges districts for the service.

Effective Date: June 15, 2017

Action required for 2017-18 school year: Yes, adherence to the law that is in effect because the law took effect immediately.

Implementation required beyond 2017-18 school year: Adherence to the law that is in effect.

Do rules need to be adopted? 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

For further information, please contact: David Marx, Financial Compliance, (512) 463-2945, Email: david.marx@tea.texas.gov

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