

2021-2022 - 87th Legislature

IMPACT ON STATE COMPENSATORY EDUCATION PROGRAM

HB 4545: PROVIDING ACCELERATED INSTRUCTION

1. **Can compensatory education funds be used to pay for accelerated instruction that is required under HB 4545?**

Yes. LEAs may use SCE funds described in TEC. Sec. 48.104 to fund supplemental programs and services listed in HB 4545, such as:

- targeted supplemental instruction,
- extended day and year instruction,
- tutoring, and
- transportation for extended day and year programs.

SCE funds may also be used for professional development designed to provide instructors the knowledge and skills to deliver accelerated instruction, and for the purchase of supplemental instructional materials for the intended population defined in the authorizing statute, [TEC, §29.081](#) and [TEC, §48.104](#).

2. **If school systems may administer an assessment designed to show grade level proficiency on the Texas Essential Knowledge and Skills (TEKS) to students who did not participate in state assessments during the 2020-2021 school year and use the results of this assessment to determine which students should participate in and benefit from accelerated instruction required in HB 4545, can the result of this assessment also be used to exit students from at-risk classification? Would the passing rate have to meet the 110 percent passing threshold as stipulated in [TEC, §29.081\(d\)\(1\)\(C\)](#)?**

Yes. For the 2021–22 school year, if the school system decides to administer an assessment designed to show grade level proficiency on the TEKS, for students who did not participate in the spring 2021 STAAR administration, the school system may determine the 110 percent passing rate to confirm the student achieved acceptable performance and not identify the student as at risk of dropping out of school. School systems should retain documentation of the assessments used, as well as the assessment results and calculations.

HB 572: ADDITIONAL AT-RISK CRITERION

3. **What is the “new” 15th criteria?**

[HB 572](#) amended TEC, 29.081 to include the additional at-risk criterion, “is enrolled in a school district or open-enrollment charter school, that is designated as a dropout recovery school under [Section 39.0548](#).”

Note: Update is reflected in [TEC, §29.081\(d\)\(1\)\(O\)](#).

HB 1697: ALLOWING PARENTS TO ELECT FOR A STUDENT TO REPEAT OR RETAKE A COURSE OR GRADE

4. **If a student was in prekindergarten or kindergarten and did not advance to the next grade level solely at the request of his or her parent, is this student identified as an at-risk student?**

No, [TEC, Sec. 29.081\(d-1\)](#) states that a student is not considered a student at risk of dropping out of school if the student did not advance from prekindergarten or kindergarten to the next grade level only as the result of the request of the student’s parent.

5. **If a student was enrolled in grades one through eight during the 2020-2021 school year, and did not advance to the next grade level solely at the request of the parent or guardian, should this student be identified as an at-risk student?**

Yes. As stated in [TEC, §29.081\(d\)\(1\)\(A\)](#), a student who was not advanced from one grade level to the next for one or more school years meets the at-risk criteria. Furthermore, students who meet one of the listed criteria are eligible for additional academic supports to improve their learning.

6. **If a student was enrolled in a course for high school credit during the 2020-2021 school year, and the parent or guardian elects for their child to retake a course, solely at their request, should this student be identified as an at-risk student?**

No. A student who was enrolled during the 2020-2021 school year, is not identified at risk of dropping out of school if the student retakes a course only as the result of the request of the student's parent. [TEC, §29.081\(d\)\(1\)\(B\)](#) identifies a student as at-risk if the student is in grade 7, 8, 9, 10, 11, or 12, did not maintain an average equivalent to 70 on a scale of 100 in two or more subjects in the foundation curriculum during a semester in the preceding or current school year, or is not maintaining such an average in two or more subjects in the foundation curriculum in the current semester.

HB 1525: AUTHORIZES ADDITIONAL USE OF SCE FUNDS

7. **What address should be used for determining the census block group for a student who is experiencing homelessness?**

Districts do not need to report a census block group for a student who is experiencing homelessness. [TEC, §48.104\(e-1\)](#) entitles districts to the highest possible compensatory education weight of 0.275 for each enrolled student who is experiencing homelessness.

8. **Can the position of an attendance officer be funded with SCE funds?**

Yes, but only if the chief goal of this SCE-funded attendance officer is to assist in reducing the dropout rate by identifying situations which jeopardize student attendance so that appropriate measures can be taken.

[TEC, §48.104\(j-1\)\(4\)\(A\)](#), states that SCE funds may be used to pay expenses related to reducing the dropout rate, including expenses related to funding the duties performed by an attendance officer to support this effort. Therefore, the job description would require sufficient information to describe major responsibilities and essential functions in which decreasing the drop-out rate is the primary duty of this position. As with any SCE-funded position, all duties and responsibilities are reflected in the district and/or campus improvement plan and meet a defined need or set of needs identified in the comprehensive needs assessment (CNA). Measurable outcomes tied to this specific position's job duties and responsibilities should be reflected in the LEA's annual SCE evaluation as referenced in [TEC, §29.081\(b-3\)](#).

9. **Can the position of an instructional coach be funded with SCE funds?**

[TEC, §48.104\(k\)\(1\)](#), states that SCE funds may be used to pay costs for services provided by an instructional coach employed to raise success in the state assessment at a campus in which educationally disadvantaged students are enrolled.

An SCE-funded instructional coach is someone who supports the teachers by providing evidence-based practices in the classrooms through professional development trainings and modeling. It is not a supervisory position and does not include the required annual evaluation of colleagues. The primary goal is twofold: improved instructional practice and improved student achievement.

As with any SCE-funded position, all duties and responsibilities are supplemental and are reflected in the district and/or campus improvement plan; and meet defined needs identified in the comprehensive needs assessment (CNA). The success of this position in meeting the established educational goals will be reflected in the LEA's annual SCE evaluation as referenced in [TEC, §29.081\(b-3\)](#).

10. **Can the cost of programs that build skills related to managing emotions, establishing, and maintaining positive relationships, and making responsible decisions be funded with SCE funds?**

[TEC, §48.104\(j-1\)\(4\)\(B\)](#), states that SCE funds may be used to pay expenses related to reducing the dropout rate and increasing the rate of high school completion, including expenses related to programs that build skills related to managing emotions, establishing, and maintaining positive relationships, and making responsible decisions.

Before providing any program or service, an LEA must conduct adequate planning and research to determine the most suitable option for serving its students. As with all other services provided with SCE funds, the LEA must conduct a needs assessment to assist in the selection of a proven, evidence-based, student-oriented program, such as one that will assist students in managing their own emotions, forming, and maintaining healthy relationships, making good decisions, and coping with everyday social and academic challenges. The success of this program in meeting the established goals will be reflected in the annual SCE evaluation as referenced in [TEC, §29.081\(b-3\)](#).