

Briefing Book on Public Education Legislation

Texas Education Agency

84th Texas Legislative Session

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HB 1706

Adds Subsection 7.060(a-1) and amends subsection 11.201(d)(13), Education Code

Summary: TEC §7.060(a-1) requires the agency to compare district-submitted reports required by state law and those required by federal law and eliminate redundancies between the collections. TEC §11.201(d)(13) requires superintendents to provide the agency with a copy of any report submitted by federal law to the federal government.

Change from current law: TEC 7.060(a-1) codifies current practice as the Data Governance Board currently reviews collections for redundancies and duplications. Previously, districts were not required to submit copies of federally required reports to the agency, and TEC §11.201(d)(13) adds this district responsibility.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: Districts must begin submitting copies of federal reports to the agency September 1, 2015.

Outstanding Issues: Agency staff must develop procedures for districts to submit federally-required reports and for reviewing federal reports for data collection redundancies.

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

Rulemaking Authority: No

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes, districts must submit a copy of any federally-required report to the agency.

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

SB 1703

Amends Section 11.055(a) and repeals Section 11.0555(c), Education Code

Summary: In 2011, legislation was enacted to change the date for transmitting absentee ballots for military and overseas voters. For consistency with that change, S.B. 1703 makes changes to numerous provisions in the Election Code relating to deadlines for certain processes and procedures involved in an election. Conforming changes are also made to Section 11.055 of the Education Code.

Change from current law: Section 11.055 of the Education Code establishes the deadline for filing an application for a place on the ballot for a general election of school trustees. The current deadline is the 71st day before the date of the election except that

it is the 78th day if the election is held on the date of the general election for state and county officers. Under this legislation, the deadline is the 78th day before the date of the election regardless of whether the election is on the date of the general election for state and county officers.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: School districts must change their election procedures to comply with the new deadlines for processes and procedures involved in an election that are included in SB 1703.

Outstanding Issues: None

For further information, please contact:
Elections Division
Secretary of the State Office
(512) 463-5650

Rulemaking Authority: 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

HB 1842

Amends Sections 7.028(a), 12.101(b-4), 12.116, 29.315, 30.005, 39.056, 39.058, 39.102(a), 39.106(a), 39.107(a), (a-1), (b), (b-1), (b-2), (d), (e), (e-1), (e-2), (f), and (g), and 39.114; Adds Sections 11.0511, Chapter 12A, 39.106(a-1), 39.107 (a-2), (b-3), (b-4), (b-5), (b-6), (b-7), (b-8), (b-9), (e-4), (e-5), (e-6), (g-1), and (g-2), 39.1071, 39.112(d-1), (d-2), and (g), 39.1121 and 39.1122; Repeals Section 39.106(f), Education Code

Summary: HB 1842 is a comprehensive update to interventions for districts and campuses.

The bill allows a district to create a position for a student trustee to serve on the board of trustees. The provision is only available to districts that have a campus operating under a campus turnaround plan.

The bill creates the option for a district to be designated as a district of innovation through the development of a local innovation plan with public input and school board approval. Once in place, the district may receive waivers from certain state requirements.

The bill also addresses required interventions for campuses that do not meet state accountability standards. Major changes include: replacing reconstitution planning with a campus turnaround plan for campuses that do not meet accountability standards for two consecutive years; after the 5th year of not meeting state accountability standards, the commissioner must either close the campus or place a board of managers to oversee operations of the entire district; campuses that do not meet state accountability ratings must hold a public meeting to gather input from parents and community members on the development of

either their targeted improvement plan and/or campus turnaround plan.

Required elements of the campus turnaround plan include:

- A detailed description of the academic programs to be offered at the campus;
- Terms of the charter, if the district chooses to turn the campus into an in-district charter (Chapter 12, Subchapter C);
- Written comments from the campus-level committee established in TEC 11.251, parents, and teachers; and
- A detailed description of the budget, staffing, and financial resources required to implement the plan.

Section 3 would amend sections of law relating to expedited campus expansions and non-renewal or revocation of charter schools.

Change from current law: HB 1842 updates intervention requirements for campuses that do not meet state accountability standards. Specific changes include replacing campus reconstitution requirement with the development of a school turnaround plan, as well as requiring the commissioner to either close a campus that does not meet accountability standards for five consecutive years, or place a board of managers to oversee district operations. In addition the bill creates the option for districts to be designated as innovation districts through the development of local innovation plans with public input and school board approval. Furthermore, it permits a new open-enrollment charter school campus to be established without commissioner approval if it meets certain requirements and the commissioner does not provide a written notice to the charter holder that the commissioner has determined the charter holder has not satisfied requirements under this section.

Effective Date: June 19, 2015. This act applies to academic performance ratings issued to public school campuses beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Write and amend Texas Administrative Code rules. Develop transitional interventions and sanctions (i.e., transition plan) specific to the continuum of current campus ratings. Revise process documents and adopt informal procedure for denying renewals.

Outstanding Issues: None

For further information, please contact:
Accreditation and School Improvement
(512) 463-5899
Charter School Administration,
(512) 463-9575

Rulemaking Authority: Commissioner has authority to adopt rules to implement these changes

Does this expressly apply to charters? Yes

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

- Section 4 requires the board of trustees to notify the commissioner of their intention to vote on the adoption of a proposed innovation plan.
- Section 10 requires the campus intervention team to provide written notice of the public meeting conducted to review the campus performance rating and solicit input for the development of the targeted improvement plan.
- Section 11 requires turnaround plans to be developed and submitted for campuses identified as unacceptable for two consecutive school years, which must include “written comments from the campus-level committee established under Section 11.251...parents, and teachers at the campus.”

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

- Section 4 requires the final version of the proposed innovation plan to be available on the district's Internet website for at least 30 days.
- Section 10 requires the campus to post notice of the meeting to review the campus performance rating and solicit input for the development of the targeted improvement plan on the campus internet website

HB 1171

Amends Section 12.1056, Education Code

Summary: This bill extends immunity from liability and suits to a charter holder and its employees and volunteers. The bill establishes that an open-enrollment charter school is a governmental unit and local government under sections of the Civil Practices and Remedies Code relating to tort claims and payments. A charter school would be a local governmental entity for purposes of contract claims under the Local Government Code.

Change from current law: Subsection (a) provides that an open-enrollment charter school or charter holder, in matters related to operation of an open-enrollment charter school, is immune from liability and suit to the same extent as a school district, and both the charter school and charter holder employees and volunteers are immune from liability and suit to the same extent as traditional school district employees and volunteers. Subsection (a) also provides that a member of a governing body of an open-enrollment charter school or of a charter holder is immune to the same extent as a school district trustee.

New Subsections (b), (c), and (d) would make open-enrollment charter schools liable in tort claims and written contract claims in the same fashion as traditional school districts are liable.

Effective Date: June 18, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

HB 1170

Adds Section 12.1058, Education Code

Summary: Section 12.1058 includes open-enrollment charter schools in the definition of local governments for the purposes of inter-local cooperation contracts, self-insurance, adjudication of contract claims, and uniform group benefits agreements. An open-enrollment charter school may elect to extend workers' compensation benefits to employees of the school through any method available to a political subdivision under Chapter 504, Labor Code.

New Section 12.1058, H.B. 1170, amends current law relating to the applicability to open-enrollment charter schools of certain laws regarding local governments and political subdivisions.

Change from current law: Section 1 of this bill amends Chapter 12, Education Code, by adding Section 12.1058 allowing the treatment of an open-enrollment charter school as a local government and political subdivision for the purposes of participating in inter-local cooperation contracts, participating in the Texas political subdivisions' uniform group benefit plan, adjudication of contract claims and providing self-insurance by a governmental unit, though an open-enrollment charter school may not issue public securities as provided by Section 2259.031(b) (authorizing a governmental unit to perform certain duties), Government Code. An open-enrollment charter school may extend workers' compensation benefits to employees of the school by any method available to a political subdivision under Labor Code, Chapter 504, and may be considered a political subdivision if the school extends these benefits to its employees. An open-enrollment charter school that self-insures either individually or collectively under Chapter 504, Labor Code, is considered to be an insurance carrier for purposes of Subtitle A (Texas Workers' Compensation Act), Title 5 (Workers' Compensation), Labor Code.

An open-enrollment charter operated by a tax exempt entity as described by Section 12.101(a)(3) (relating to defining “eligible entity”), notwithstanding Subsection (a) or (b), is not considered to be a political subdivision, local government, or local governmental entity unless the applicable statute specifically states that the statute applies to an open-enrollment charter school.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

For further information, please

contact: Charter School Administration,
(512) 463-9575 or
Office of Legal Services,
(512) 463-9720

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

SB 2062

Adds Section 12.137, Education Code

Summary: The bill allows the subchapter D dropout recovery charter school and the Adult Charter School pilot program granted to the 501(c) 3, Goodwill, to be excepted from the provisions in 25.001(b-2) which prohibits students who are 21 years or older and who have not attended school for the three preceding school years to be educated with students who are 18 years of age or younger in the same classrooms, or other common educational/school sanctioned settings.

Change from current law: Section 1 of the bill amends Subchapter D, Chapter 12, Education Code, by adding Section 12.137, Certain Charter Holders Authorized to Provide Combined Services for Certain Adult and High School Dropout Recovery Programs.

Subsection (a) provides that this section would only apply to an open-enrollment charter school designated as a dropout recovery school if the enrollment of the school consists only of students 17 years of age and older and an adult education program provided under a high school diploma and industry certification charter school pilot program.

Subsection (b) provides that an entity granted a charter to operate a dropout recovery school for students 17 years of age and older and a charter to operate an adult education program (under a high school diploma and industry certification charter school pilot

program) could have the students share the same classrooms, cafeteria, or activities sanctioned by the charter for the purposes or providing services to enrolled students.

Section 2 of the bill apply the provisions of this bill beginning with the 2015–2016 school year.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

SB 955

Amends Section 12.152, Education Code

Summary: The bill allows a university to open a charter school campus anywhere in the state without any connection to the university's location.

Change from current law: S.B. 955 amends the Education Code to expand the locations at which a public senior college or university may operate an open-enrollment charter school from a location in the same county in which the campus of the public senior college or university is located to another location in any Texas county. The bill requires the commissioner of education, in evaluating an application by a public senior college or university to operate an open-enrollment charter school in a county other than the county in which the campus of the applicant is located, to consider the locations of existing open-enrollment charter schools, as appropriate, to avoid duplication of services in the area in which the applicant proposes to operate the school, as well as the need of the community in the area in which the applicant proposes to operate the school to have an additional open-enrollment charter school. The bill's provisions apply to an application for a new charter pending on or submitted on or after the bill's effective date. The bill authorizes a public senior college or university that holds a charter granted before the bill's effective date to operate a charter school at a location in any Texas county, but requires the college or university to obtain the commissioner's approval of the expansion if the college or university seeks to operate an additional campus.

Effective Date: June 16, 2015

Action required for 2015-16 School Year: Revision of the university charter application and amendment of existing rules and policies.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

SB 1024

Adds Section 19.0043, Education Code

Summary: A school district must award credit toward course requirements for high school graduation for courses a student successfully completes in Windham School District educational programs provided that the completed courses meet the Texas Essential Knowledge and Skills (TEKS).

A student is permitted to graduate and receive a diploma from a Windham School District educational program if the student successfully completes the curriculum requirements identified by the State Board of Education and complies with the state assessment requirements for graduation or if the student successfully completes the state curriculum requirements as modified by an individualized education program developed in accordance with state law.

A Windham School District educational program is permitted to issue a certificate of coursework completion to a student who successfully completes the curriculum requirements for graduation identified by the State Board of Education but who fails to comply with the state assessment requirements for graduation.

Change from current law: Currently, Windham School District is not authorized to award credit, diplomas, or certificates of coursework completion. This legislation gives Windham School District that authority.

Effective Date: May 19, 2015

Action required for 2015-16 School Year: School districts are required to award credit toward course requirements for high school graduation for courses a student successfully completes in Windham School District educational programs if those courses meet the TEKS.

Outstanding Issues: None

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

Rulemaking Authority: 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

SB 168

Amends Section 21.003, Education Code

Summary: This bill adds subsection (c) to place limitations on a waiver of superintendent certification. A person not certified as a superintendent may not be employed as superintendent prior to receiving a waiver. Section 2 also requires that districts who employ a person as superintendent who does not have a certificate must obtain a temporary waiver of the certification requirement no later than October 1, 2015.

Change from current law: Requirement of district to obtain a waiver prior to employment as a superintendent if not certified.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: Requires districts to apply for and receive a waiver of superintendent certification prior to employment of an uncertified superintendent. Districts that currently employ an uncertified superintendent and do not have a waiver must obtain a waiver by 10/1/15.

Outstanding Issues: None

For further information, please contact:
Accreditation and Waivers,
(512) 463-5899;
Educator Certification,
(512) 936-8400

Rulemaking Authority: 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

HB 1783, Section 2 & 3

Amends Sections 21.006(b), (b-1), (c), and (d); 22.087, Education Code

Summary: HB 1783 creates a right for school district or open-enrollment charter school employees to report crime and modifies the required superintendent reporting of educator misconduct and criminal histories to the State Board for Educator Certification

Change from current law: Sections 2 and 3 of HB 1783 add open-enrollment charter school and “school” to Texas Education Code (TEC) Section 21.006, which requires superintendents or directors of certain educational entities to report certain types of educator misconduct to the State Board for Educator Certification. The amendment adds involvement in a romantic relationship or engaging in sexual contact with a student or minor as specific required reports under TEC Section 21.006. Under prior law, the notification was required if an educator was terminated based on a “determination” of certain inappropriate conduct, but the standard has been changed to be based on “evidence” of the inappropriate conduct. Under prior law, superintendents or directors were required to investigate even after the resignation of an educator if there was “reasonable cause to believe” the educator engaged in certain types of misconduct. They now must complete the investigation based on “evidence” that the educator engaged in the misconduct. The bill requires the superintendent or director to report not later than the seventh day he or she “knew” of the criminal history, termination, or resignation following an alleged incident of misconduct instead of after he or she “first learns” of the misconduct.

The bill also removes the requirement that all criminal histories be reported to SBEC in TEC Sections 21.006 and 22.087 by eliminating the need to report criminal histories received through the DPS criminal history clearinghouse, which SBEC already receives directly from the clearinghouse. Superintendents or directors are still responsible for reporting if the person obtains knowledge of a criminal history on any means other than the criminal history clearinghouse.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: Superintendents and directors must begin complying with the new notification requirements.

Outstanding Issues: None

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

Rulemaking Authority: SBEC rules may need to be updated to reflect the new notification requirements.

Does this expressly apply to charters? Yes

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

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

HB 2205, Sections 1, 2, and 14

Amends Sections 21.033 and 21.035
Education Code

Summary: Sections 1 and 2 of HB 2205 make changes to the composition of the State Board for Educator Certification (SBEC) by adding a nonvoting member to SBEC with experience and knowledge of alternative education programs and grant the SBEC statutory authority to make a written delegation to the commissioner of education or the Texas Education Agency to informally dispose of contested cases involving educator certification. Section 14 requires the governor to appoint the new member as soon as practicable after September 1, 2015.

Change from current law: The SBEC currently consists of 14 governor-appointed members, including one nonvoting member who is a dean of a college of education. HB 2205 requires the governor to appoint an additional nonvoting member who has experience working for and knowledge of alternative educator preparation programs and who is not affiliated with an institution of higher education.

Under current law, SBEC has no express statutory authority to delegate to the commissioner or agency the ability to informally dispose of contested cases involving educator certification. HB 2205 grants SBEC the authority to delegate settlement authority in cases involving educator certification.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: None

Outstanding Issues: The governor is required to appoint the new nonvoting member of SBEC as soon as practicable after September 1, 2015.

For further information, please contact:
Ryan Franklin
Educator Leadership and Quality
(512) 936-8400

Rulemaking Authority: 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

HB 2205, Section 3

Amends Subsection 21.044(b),
Education Code

Summary: Section 3 makes a change to requirements for minimum academic qualifications for a certificate that requires persons obtaining a certificate through an alternative certification program (ACP) to be trained in the detection and education of students with dyslexia.

Change from current law: Under current law, the requirement for training in the detection and education of students with dyslexia does not apply to persons obtaining a certificate through an ACP.

Effective Date: September 1, 2015

Action required for 2015-16 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. ACPs that were not already requiring the dyslexia training will need to modify their curriculum.

Outstanding Issues: None

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

Rulemaking Authority: SBEC to adopt rules to address the changes.

Does this expressly apply to charters? No

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

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

SB 674

Amends Subsection 21.044(c-1),
Education Code

Summary: This legislation makes changes to requirements for minimum academic qualifications for any educator certificate that requires a bachelor's degree to also require persons to receive training in mental health, youth suicide, and substance abuse. Training materials must be selected from the list of recommended best practice-based programs that is provided by the Department of State Health Services, in coordination with the TEA.

Change from current law: Under current law, requirements for minimum academic qualifications for a certificate require persons to receive training in the detection of students with mental or emotional disorders. The instruction for this training must be developed by a panel of experts in the diagnosis and treatment of mental or emotional disorders who are appointed by the State Board for Educator Certification (SBEC). The bill repeals a requirement that the training be developed by a panel of experts.

Effective Date: September 1, 2015

Action required for 2015-16 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. Educator preparation programs will need to modify their curriculum.

Outstanding Issues: None

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

Rulemaking Authority: SBEC 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

HB 2205, Section 4

Amends Subsection 21.0441(a) and adds Subsection (c) and (d), Education Code

Summary: Section 4 makes changes to the admission requirements to an educator preparation program (EPP) to clarify that the minimum grade point average (GPA) requirement is at least a 2.5 on a four-point scale and to add a requirement that the overall GPA of each incoming class admitted by an EPP may not be less than 3.00 on a four-point scale. A person seeking career and technology education certification is not included in determining the overall GPA of an incoming class.

Change from current law: Under current law, the minimum GPA requirement prescribed by the State Board for Educator Certification (SBEC) could not exceed at least a 2.75 on a four-point scale. Under current law, there is no incoming class GPA requirement.

Effective Date: September 1, 2015

Action required for 2015-16 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 may need to modify their enrollment policies and procedures.

Outstanding Issues: None

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

Rulemaking Authority: SBEC to adopt rules to address the changes.

Does this expressly apply to charters? No

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

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

HB 1300

Amends Subsection 21.0441(b),
Education Code

Summary: This legislation changes requirements for admission into an educator preparation program (EPP) by requiring an applicant with less than 2.5 grade point average (GPA) to pass a content exam to qualify for admission under the extraordinary circumstances exception. Additional changes in HB 2205 also impact this section of law.

Change from current law: Under current law, each person admitted under the extraordinary circumstances exception must demonstrate achievement in work, business, or career experience that is comparable to the academic achievement represented by the GPA requirement.

Effective Date: September 1, 2015

Action required for 2015-16 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 will need to modify their enrollment policies and procedures.

Outstanding Issues: None

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

Rulemaking Authority: SBEC to adopt rules to address the changes.

Does this expressly apply to charters? No

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

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

HB 2205, Section 5

Adds Section 21.0443, Education Code

Summary: Section 5 makes changes to the requirements for educator preparation program (EPP) approval and renewal by requiring the State Board for Educator Certification (SBEC) to propose rules that establish standards to govern the approval or renewal of approval of EPPs, certification fields authorized to be offered by an EPP, and an evaluation process to be used in reviewing an EPP for renewal of approval. To be eligible for approval or renewal of approval, an EPP must adequately prepare candidates for educator certification and meet the standards and requirements of the SBEC. In addition, the SBEC is required to review and renew approval of each EPP at least every five years.

Change from current law: Under current law, the SBEC may propose rules establishing minimum standards for approval or renewal of approval of EPPs or certification fields authorized to be offered by an EPP. Under current law, there are no eligibility requirements for program approval or renewal, there is no requirement for the SBEC to adopt an evaluation process to be used in reviewing an EPP for renewal of approval, and there is no requirement for the SBEC to review and renew approval of each EPP at least every five years.

Effective Date: September 1, 2015

Action required for 2015-16 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.

Outstanding Issues: None

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

Rulemaking Authority: SBEC to adopt rules to address the changes.

Does this expressly apply to charters? No

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

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

HB 2205 Section 7

Amends Subsections 21.0451(a), 21.0451(c), and 21.0451(d), Education Code

Summary: Section 7 makes changes to sanctions under the accountability system for educator preparation programs (ASEP) by requiring the State Board for Educator Certification (SBEC) to propose rules necessary for the sanction of an educator preparation program (EPP) that does not comply with state law or rules. Clarifies that the SBEC or TEA is required to provide an EPP with an opportunity for a contested case hearing before revoking the approval of an EPP. As part of the contested case hearing process, the SBEC or TEA is required to provide the procedure for changing the accreditation status of a program that does not meet the accreditation standards or violates an SBEC or TEA regulation.

Change from current law: Under current law, the SBEC is not required to propose rules necessary for the sanction of an EPP that does not comply with state law or rules. Under current law, the SBEC or TEA is required to provide an EPP that has had its approval revoked the opportunity for a hearing before the effective date of closure.

Effective Date: September 1, 2015

Action required for 2015-16 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.

Outstanding Issues: None

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

Rulemaking Authority: SBEC to adopt rules to address the changes

Does this expressly apply to charters? No

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

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

HB 2205, Sections 6, 8 and 15

Amends Sections 21.045, 21.0452(b), 21.0452(c), and 21.0452(d), Education Code

Summary: Section 6 makes changes to the accountability system for educator preparation programs (ASEP) by clarifying that educator preparation program (EPP) compliance with State Board for Educator Certification (SBEC) requirements regarding the frequency, duration, and quality of structural guidance and ongoing support provided by field supervisors to candidates includes those candidates who are completing student teaching, clinical teaching, or an internship. Section 6 creates a new accountability indicator that is based on the results from a teacher satisfaction survey of new teachers performed at the end of the teacher's first year of teaching. Section 6 also adds four new requirements and modifies one existing requirement for the annual performance report (APR). Section 8 makes changes to the consumer information regarding EPPs by adding three new requirements to be made public through the SBEC's website. Section 15 requires the SBEC, in consultation with the Texas Higher Education Coordinating Board (THECB) to develop criteria for evaluating EPPs based on teacher retention and success by January 1, 2016.

Change from current law: Under current law, ASEP compliance for structural guidance and ongoing support provided by field supervisors to candidates is limited to candidates who are completing internships. Under current law, there is no ASEP indicator that is based on the results from a teacher satisfaction survey of new teachers performed at the end of the teacher's first year of teaching. Under current law, the APR does not require the following data to be reported: 1) data related to the program's compliance with requirements for field supervision of candidates during their clinical teaching and internship experiences; 2) the amount of time required by candidates employed as beginning teachers under probationary teaching certificates to be issued

standard teaching certificates; 3) the ratio of field supervisors to candidates completing student teaching, clinical teaching, or an internship; and 4) any other information necessary to enable the SBEC to assess the effectiveness of the program on the basis of teacher retention and success criteria adopted by the SBEC. Under current law, one of the reporting requirements for the APR is the number of candidates employed in the profession after completing a program. This requirement is being changed to the number of candidates employed as beginning teachers under standard teaching certificates by not later than the first anniversary of completing a program. Under current law, the consumer information requirements do not include: 1) the average ratio of field supervisors to candidates completing student teaching, clinical teaching, or an internship in an EPP for each semester; 2) the percentage of teachers employed under a standard teaching certificate within one year of completing the program; and 3) the results of teacher satisfaction surveys given to program participants at the end of the first year of teaching.

Effective Date: September 1, 2015. By January 1, 2016, the SBEC must develop criteria for evaluating EPPs based on teacher retention and success after consulting with the THECB.

Action required for 2015-16 School Year: SBEC will need to adopt rules and SBOE will need to review the adopted rules. SBEC will need to adopt rules and SBOE will need to review the adopted rules. TEA will need to modify its technology systems, website, and other materials to address the change and inform stakeholders about the change.

Outstanding Issues: None

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

Rulemaking Authority: SBEC to adopt rules to address the changes.

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? Consumer information regarding EPPs requirements to be made public through the SBEC's website.

HB 2205, Section 9

Adds Sections 21.0454 and 21.0455, Education Code

Summary: Section 9 makes changes to the requirements related to risk factors for educator preparation programs (EPP), a risk-assessment model, and complaints regarding EPPs. Requires the State Board for Educator Certification (SBEC) to propose rules necessary to develop risk factors to use in assessing the overall risk level of each EPP. Risk factors must include: 1) a history of the EPP's compliance with state law and board rules, standards, and procedures; and 2) whether the EPP meets accountability standards. Risk factors may include whether an EPP is accredited

by other organizations. Risk factors must be used to guide the TEA in conducting monitoring, inspections, and compliance audits of EPPs, including evaluations associated with renewals. Requires the SBEC to propose rules necessary to establish a process for a candidate for teacher certification to direct a complaint against an EPP to the TEA. Complaint rules must require EPPs to notify candidates of the complaint process. Clarifies that the SBEC has no authority to arbitrate or resolve contractual or commercial issues between an EPP and a candidate.

Change from current law: Under current law, there are no requirements related to risk factors for EPPs, a risk-assessment model, or complaints regarding EPPs.

Effective Date: September 1, 2015

Action required for 2015-16 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 will need to modify their websites and other materials to address the change and inform candidates about the change.

Outstanding Issues: None

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

Rulemaking Authority: SBEC to adopt rules to address the changes.

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? The agency shall post the complaint process adopted under this section to the agency website.

HB 2205, Sections 10 and 11

Amends Sections 21.048(a), 21.048(a-1), and 21.048(a-2), Education Code

Summary: Section 10 clarifies that the commissioner determines the satisfactory level of performance required for each certification examination. Section 11 prohibits a person from retaking an examination more than four times, unless the SBEC waives the limitation for good cause. Section 11 allows a person who initially took an examination before September 1, 2015, to retake an examination up to four times after that date, regardless of the number of times a person attempted an examination before that date. Section 11 also removes the exception from disclosure of the results of an examination for educators who have failed an examination more than five times.

Change from current law: HB 2012, 83rd Regular Session 2013, provided for the commissioner to determine the satisfactory level of performance required for each examination. HB 2318, 83rd

Regular Session 2013, was enacted after HB 2012 and provided for the SBEC to determine the satisfactory level of performance required for each examination. Under current law, there is no limit on the number of times a person can retake an examination. Under current law, examination results of educators who have failed an examination more than five times are subject to disclosure.

Effective Date: September 1, 2015.
Subsection 21.048(a-2) expires
September 1, 2018.

Action required for 2015-16 School Year: SBEC will need to adopt rules, SBOE will need to review the adopted rules, and TEA will need to modify technology systems, websites, and other materials to address the changes and inform stakeholders.

Outstanding Issues: None

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

Rulemaking Authority: SBEC to adopt rules to address the changes.

Does this expressly apply to charters? No

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

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

SB 1309

Amends Sections 21.0487 and 21.046(e),
Education Code

Summary: This bill changes current law by establishing requirements for issuance of a five-year standard teaching certificate for Junior Reserve Officer Training Corps (JROTC). SB 1309 establishes that, for purposes of satisfying eligibility requirements for certification as a principal, a teacher who holds a JROTC teaching certificate is considered to hold a classroom teaching certificate and may apply as creditable years of teaching experience as a classroom teacher any period during which the teacher was employed by a school district as a JROTC instructor before or after the teacher was certified as such.

Change from current law: TEA currently issues an emergency permit for JROTC assignments. This legislation allows individuals who have obtained a JROTC instructor teaching certification issued by the United States Department of Defense, United States Army, United States Navy, United States Air Force, or United States Marine Corps, a pathway to obtain a Texas standard certificate for JROTC. The bill requires creation of a new certificate, establishes rules for certificate issuance, and confirms the courses eligible to be taught with this new certification.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: The SBEC will need to propose and adopt rules, the SBOE will need to review the adopted rules, and TEA will need to modify technology systems, websites, and other materials to address the legislative changes and inform stakeholders.

Outstanding Issues: None

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

Rulemaking Authority: The SBEC will adopt rules to establish a new JROTC certificate and the requirements for certificate issuance. The SBEC will still maintain a process to issue emergency permits for JROTC and will make any necessary rule changes to maintain the permit application process.

Does this expressly apply to charters? No

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

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

HB 2014

Amends Section 21.0487(a) and (b),
Education Code

Summary: This bill allows current and former members of the United States armed services to substitute their experience in a particular trade during their military service in place of any license or credential required to earn a certification in career and technical education. The bill prohibits the State Board for Educator Certification (SBEC) from requiring a professional credential for CTE certifications if they have military experience in that particular trade.

Change from current law: This bill changes current law by adding Section 21.0487 to enable current or former members of the US armed forces to use their experience in a trade gained while serving in the armed forces to substitute for any license or professional credential the SBEC may require to earn certification as a career and technical education teacher. The bill further prohibits SBEC from proposing rules that would require a current or former service member to obtain a license or experience related to a trade if they gained that experience through their military service. The intent of these changes is to provide a reasonable pathway for current or former military service members to receive certification to provide trades and industries education.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: The SBEC will need to propose and adopt rules, the SBOE will need to review the adopted rules, and TEA will need to modify technology systems,

websites, and other materials to address the legislative changes and inform stakeholders.

Outstanding Issues: IT issues and communication materials to implement the changes.

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

Rulemaking Authority: The SBEC will adopt rules, the SBOE will review the adopted rules, and TEA will need to modify technology systems, websites, and other materials to address the changes and inform stakeholders.

Does this expressly apply to charters? No

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

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

SB 382

Adds Section 21.0541, Education Code

Summary: Makes changes to continuing education requirements by requiring the State Board for Educator Certification (SBEC) to adopt rules allowing an educator to receive credit toward the educator's continuing education requirements for completion of an instructional course on the use of an automated external defibrillator.

Change from current law: Under current law, there is no requirement for the SBEC to adopt rules allowing an educator to receive credit towards the educator's continuing education requirements for completion of an instructional course on the use of an automated external defibrillator.

Effective Date: June 19, 2015

Action required for 2015-16 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.

Outstanding Issues: None

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

Rulemaking Authority: SBEC to adopt rules to address the changes

Does this expressly apply to charters? No

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

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

HB 2205, Section 12

Amend Section 21.055 (b) and (d-1),
Education Code

Summary: Section 12 adds new subsection (d-1) to clarify requirements for issuance of school district teaching permits to individuals who will teach only noncore academic career and technical education courses without the approval of the commissioner of education. This bill also requires new employees who receive a school district teaching permit under this section to complete 20 hours of classroom management training and comply with continuing education requirements determined by the district board of trustees.

Change from current law: Under current law, the commissioner of education approves all school district teaching permits. This new legislation retains much of the language already in subsections (b), (c), and (d) of the code and maintains the commissioner's authority to approve school district teaching permits in areas other than noncore academic career and technical education. However, new language in subsection (d-1) eliminates the requirement to hold a baccalaureate degree, transfers approval authority from the commissioner to the school district board of trustees for permits to teach noncore academic career and technical education courses, and requires demonstration of subject matter expertise through a combination of professional work experience, formal training and education, and/or holding active professional relevant industry license, certification, or registration in the subject matter to be taught. The district superintendent now has responsibility to certify the individual meets qualifications for a school district teaching permit issued by the board of trustees.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: TEA will propose new Commissioner's Rules to implement legislation related to issuance of school district teaching permits. A process will be defined to submit information to TEA on school district teaching permits approved by district boards of trustees.

Outstanding Issues: None

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

Rulemaking Authority: Commissioner will adopt rules to implement legislation related to issuance of school district teaching permits.

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes. 21.055 (d-1) requires the board of trustees to send the commissioner a written statement identifying the person, the course the person will teach, and the person's qualifications to teach the course.

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

HB 2205, Section 13

Adds Section 21.062, Education Code

Summary: Section 13 of HB 2205 grants the commissioner of education the authority to issue a subpoena for purposes of obtaining information relevant to an investigation into educator misconduct.

Change from current law: TEA's educator investigation staff has lacked the ability to subpoena records from school districts and other entities during the course of investigations into reported educator misconduct. Section 21.062 grants the commissioner of education subpoena authority in investigations of educator misconduct.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

For further information, please contact:

Doug Phillips
Educator Investigations
(512) 936-8400

Rulemaking Authority: No

Does this expressly apply to charters? No, but the subpoena may be issued for relevant evidence anywhere in the state.

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

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

HB 2186

Amends Section 21.451, Education Code

Summary: This legislation makes changes to staff development requirements provided by a school district to educators other than principals by requiring suicide prevention training to all new school district and open-enrollment charter school educators annually and to existing school district and open-enrollment charter school educators on a schedule adopted by the TEA by rule. Training must be selected from the list of recommended best practice-based programs that is provided by the Department of State Health Services (DSHS), in coordination with the TEA. Training may also be satisfied through independent review of suicide prevention training material that complies with the guidelines developed by the TEA and offered online.

Change from current law: Under current law, there are no requirements for suicide prevention training for all school district

and open-enrollment charter school educators. Under current law (HSC 161.325), school districts are required to provide training that includes suicide prevention for teachers, counselors, principals, and all other appropriate personnel at least one time. Training at an elementary campus is required to the extent that sufficient funding and programs are available. School districts may implement a program on the DSHS list, and the list does include suicide prevention training.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: The commissioner would need to adopt rules related to a schedule for training existing educators. TEA will need to develop guidelines to be used for independent review of online suicide prevention training material that may be used to satisfy this requirement. TEA will need to modify its website and other materials to address the change and inform stakeholders about the change. School districts and open-enrollment charter schools will need to provide the training.

Outstanding Issues: Some of the specific training mentioned during testimony on the bill is not currently on the list of recommended best practice-based programs.

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

Rulemaking Authority: The commissioner would need to adopt rules related to a schedule for training existing educators.

Does this expressly apply to charters? No

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

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

SB 925

Adds new Section 21.4552, Education Code

Summary: The commissioner must develop and make available literacy achievement academies for teachers who provide reading instruction to students in kindergarten and grades 1-3. A literacy achievement academy must include training in effective and systematic instructional practices in reading, including phonemic awareness, phonics, fluency, vocabulary, and comprehension. Additionally, the academies must provide training in the use of empirically validated instructional methods that are appropriate for struggling readers. The academies are permitted to include training in effective instructional practices in writing.

The commissioner must adopt criteria for selecting teachers who may attend a literacy achievement academy. The criteria must grant priority to teachers employed by a school district at a

campus at which 50% or more of the students are educationally disadvantaged. The commissioner must also provide a process through which a teacher not employed at a campus with 50% or more educationally disadvantaged students may attend the academy if there is space available and the school district employing the teacher pays the costs of the teacher's attendance.

Teachers who attend a literacy achievement academy are entitled to receive a stipend in an amount to be determined by the commissioner from funds appropriated for this purpose. A stipend received under this subsection may not be considered in determining whether a school district is paying the teacher the state-required minimum monthly salary.

Change from current law: There are currently no requirements for literacy academies in law.

Effective Date: May 21, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: The commissioner is required to adopt criteria for selecting teachers who may attend a literacy achievement academy.

Does this expressly apply to charters? No

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

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

SB 934

Adds new Section 21.4553, Education Code

Summary: The commissioner must develop and make available mathematics achievement academies for teachers who provide mathematics instruction to students in kindergarten or grades 1-3. A mathematics achievement academy must include training in effective and systematic instructional practices in mathematics, including problem solving, the place value system, whole number operations, and fractions.

The commissioner must adopt criteria for selecting teachers who may attend a mathematics achievement academy. The criteria adopted by the commissioner must grant priority to teachers employed by a school district at a campus at which 50% or more of the students are educationally disadvantaged. The commissioner must also provide a process through which a teacher not

employed at a campus with 50% or more educationally disadvantaged students may attend the academy if there is space available and the school district employing the teacher pays the costs of the teacher's attendance.

Teachers who attend a mathematics achievement academy are entitled to receive a stipend in an amount to be determined by the commissioner from funds appropriated for this purpose. A stipend received under this subsection may not be considered in determining whether a school district is paying the teacher the state-required minimum monthly salary.

Change from current law: There are currently no requirements for mathematics academies in law.

Effective Date: May 28, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: The commissioner is required to adopt criteria for selecting teachers who may attend a mathematics achievement academy.

Does this expressly apply to charters? No

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

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

SB 972

Adds Section 21.4554, Education Code

Summary: The commissioner must develop and make available reading-to-learn academies for teachers who provide reading comprehension instruction to students in 4th or 5th grades. A reading-to-learn academy must include effective instructional practices that promote student development of reading comprehension and inferential and critical thinking. Additionally, the academies must provide training in the use of empirically validated instructional methods that are appropriate for struggling readers. The academies are permitted to include material on writing instruction. The reading-to-learn academies must provide participating teachers with access to the academy training materials through the Internet after the teachers attend the academy.

The commissioner must adopt criteria for selecting teachers who may attend a reading-to-learn academy. The criteria must grant

priority to teachers employed by a school district at a campus at which 50% or more of the students are educationally disadvantaged. The commissioner must also provide a process through which a teacher not employed at a campus with 50% or more educationally disadvantaged students may attend the academy if there is space available and the school district employing the teacher pays the costs of the teacher's attendance.

Teachers who attend a reading-to-learn academy are entitled to receive a stipend in an amount to be determined by the commissioner from funds appropriated for this purpose. A stipend received under this subsection may not be considered in determining whether a school district is paying the teacher the state-required minimum monthly salary.

Change from current law: There are currently no requirements for reading-to-learn academies in law.

Effective Date: May 28, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: The commissioner is required to adopt criteria for selecting teachers who may attend a reading-to-learn academy.

Does this expressly apply to charters? No

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

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

SB 206

Amends sections 25.001, 25.087, and 54.366, Education Code and numerous sections of the Family and Human Resources Codes.

Summary: SB 206 concerns the functions of the Department of Family and Protective Services (DFPS) and procedures for suits affecting the parent-child relationship, investigations of child abuse and neglect, and conservatorship of a child. Concerning the Education Code, SB 206 addresses the school in which a child is entitled to attend when the child is placed into conservatorship of DFPS, excused absences for a child in conservatorship of DFPS, and exemption of tuition and fees for higher education, including tuition and fees for a dual credit course or other course for which a high school student may earn joint high school credit and college credit, for students under the conservatorship of DFPS.

Change from current law: SB 206 has three sections amending the Education Code and 83 sections amending or repealing sections of the Family and Human Resources Codes. In regard to the Education Code:

Section 25.001(g) currently authorizes a student in the conservatorship of DFPS to continue to attend the school in which the student was enrolled immediately before entering conservatorship until the student successfully completes the highest grade level offered by the school at the time of placement without payment of tuition. SB 206 adds that a student is entitled to continue to attend the school regardless of whether the student remains in conservatorship of DFPS for the duration of the student's enrollment in the school.

Further, SB 206 adds subsection 25.001(g-1) providing if a student who is in the conservatorship of DFPS is enrolled in a primary or secondary public school other than the school in which the student was enrolled at the time of placement into conservatorship, the student is entitled to continue to attend that school without the payment of tuition until the student successfully completes the highest grade level offered by that school at the time of enrollment even if the child's placement is changed to a residence outside the attendance area for that school or the school district. The student is also entitled to continue to attend the school regardless of whether the student remains in the conservatorship of DFPS for the duration of the student's enrollment.

Section 25.087(b)(1) lists the purposes for which a school district must excuse a student from attendance, including two versions of subsection 25.087(b)(1)(F) providing (version 1) a child in conservatorship of DFPS attending a mental health or therapy appointment or family visitation as ordered by a court under chapter 262 or 263 of the Family Code or (version 2) a child in conservatorship of DFPS participating in an activity ordered by a court under chapter 262 or 263 of the Family Code provided it is not practicable to schedule participation outside school hours. SB 206 eliminates version 1 and amends version 2 to state a student in conservatorship of DFPS participating, as determined and documented by DFPS, in an activity (1) ordered by a court under chapter 262 or 263 of the Family Code or (2) required under a service plan under subchapter B of chapter 263 of the Family Code.

Subsection 25.087(b)(2) also includes two versions providing for (version 1) a temporary absence resulting from an appointment with health care professionals for the student or the student's child if the student commences classes or returns to school on the same day of the appointment and (version 2) a temporary absence

resulting from an appointment with a health care professional if that student commences classes or returns to school on the same day of the appointment. SB 206 eliminates version 2.

Section 54.366 (Higher Education) exempts a student who has been in the conservatorship of DFPS from the payment of tuition and fees under certain conditions. The exemption applies if the student enrolls in an institution of higher education as an undergraduate student or in a dual credit course or other course in which a high school student may earn joint high school and college credit not later than the student's 25th birthday. SB 206 adds subsection 54.366(c) to provide that a child who exits DFPS conservatorship and is returned to the parent, including a parent whose parental rights had been previously terminated, may be exempt from the payment of tuition and fees if DFPS determines the child is eligible under DFPS rule. Further, the executive commissioner of the Health and Human Services Commission must by rule develop factors for determining eligibility in consultation with DFPS and the Texas Higher Education Coordinating Board.

Effective Date: September 1, 2015, except amendments to section 42.050(d) and 42.052(f-1) of the Human Resources Codes take effect September 1, 2016 (both involve rulemaking).

Action required for 2015-16 School Year: None

Outstanding Issues: None

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

Rulemaking Authority: Health and Human Services Commission has rulemaking authority for the implementation of this legislation.

Does this expressly apply to charters? Yes

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

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

SB 1494

Amends Section 25.007(a) and (b), 25.025(i), and adds 25.007(a-1).
Education Code

Summary: Students who are homeless are added to the provisions that require transition assistance for students in substitute care.

Change from current law: This law adds students who are homeless to TEC §25.007.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Current law includes provisions for transition assistance for students in substitute care.

This law includes students who are homeless in the provisions for transition assistance.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

HB 1804

Amends Subsection 25.007(b),
Education Code

Summary: Campuses and open-enrollment charter schools, in addition to school districts, are required to provide notice to a child's educational decision-maker and caseworker regarding events that may significantly impact the education of the child in DFPS Managing Conservatorship. Notice must be provided regarding

- requests or referrals for an evaluation under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or special education;
- admission, review, and dismissal committee meetings;
- required manifestation determination reviews;
- any disciplinary actions under Chapter 37 for which parental notice is required;
- citations issued for Class C misdemeanor offenses on school property or at school sponsored activities;
- reports of restraint and seclusion; and
- Use of corporal punishment.

Change from current law: Current law requires school districts to provide notice to a child's educational decision-maker and caseworker regarding events that may significantly impact the education of a child. This law adds campuses and open-enrollment charter schools to this notification requirement.

Effective Date: September 1, 2015.
This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: School districts and charter schools employees need to provide the necessary notifications when appropriate.

Outstanding Issues: None

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

Rulemaking Authority: None

Does this expressly apply to charters? Yes

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

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

HB 2610, Section 1

Amends Section 25.081 by amending Subsections (a) and (b) and adding Subsections (c), (d), and (e), Education Code.

Summary: This bill is related to the minimum number of minutes of instruction for students to be provided by public school districts and the scheduling of the last day of school for students by public school districts.

Section 1 of the bill amended Section 25.081, Education Code, by amending Subsections (a) and (b) and adding Subsections (c), (d), and (e).

Subsection (a) was amended to require school districts to provide 75,600 minutes of instruction rather than 180 days.

Conforming amendments were made to Subsection (b).

New Subsection (c) allows districts to add additional minutes to the school day to compensate for minutes of instruction lost because of school closures for health and safety reasons if the commissioner of education did not approve reduced minutes of instruction for school districts that had closures for health and safety reasons.

New Subsection (d) authorizes the commissioner to adopt rules on the basis of minimum minutes of instruction required for any provision of this title that referred to minimum number of days of instruction.

New Subsection (e) provides that any reference to a day of instruction in the Education Code is equal to 420 minutes.

Change from current law: Changes the unit of measure for required instruction from days to minutes. Defines a day of instruction as 420 minutes.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: Districts must convert their instructional calendar from days to minutes.

Outstanding Issues: There are many details yet to be worked out with regard to implementation of this bill, particularly with regard to recording and reporting attendance. The TEA is in the process of reconciling attendance requirements among three bills (HB 2610, HB 2660, and SB 496) that effect attendance requirements.

For further information, please contact: State Funding Division
Amanda Brownson (512) 463-0986 or
Amy Copeland (512) 463-8732

Rulemaking Authority: The commissioner may adopt rules for the implementation of this legislation.

Does this expressly apply to charters? Charter schools are subject to attendance requirements.

Does this bill contain a new reporting requirement for TEA/school districts? Yes, this bill substantially changes the way that attendance will be recorded and reported for funding purposes.

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

HB 2610, Section 2

Adds Section 25.0812, Education Code

Summary: This legislation prohibits a school district from scheduling the last day of school for students in a school year before May 15.

Change from current law: Current law provides that district may not schedule the first day of instruction for a school year before the third Monday in August, but it does not address the date of the last day of instruction.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Districts must ensure school calendar applies with the new requirement.

Outstanding Issues: None

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

Rulemaking Authority: 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

HB 2398

Amends Education Code, Sections 25.085(b), (e), and (f), 25.091(a) and (b), 25.0915, 25.0916(a), (c), (f), (h), and (i), 25.093, 25.095(a) and (b), 25.0951, 25.0952, 29.087(d), 7.111(a), and 33.051(2). Amends Code of Criminal

Summary: This bill repeals the criminal offense of failing to attend school and removes the failure to attend school as a basis for a finding by a juvenile court of a child in need of supervision. The bill establishes a civil penalty for failing to attend school. The offense of parent contributing to nonattendance remains a Class C misdemeanor.

Procedure, Articles 4.14(g), 45.0216(f) and (g), 45.056(a), and 102.014(d). Amends Family Code, Sections 51.02(15), 51.03(a), (b), (e), and (f), 51.13(e), 54.0404(a), 54.05(b), 58.0022, 58.003(c-3), 58.106(a), 59.003(a), 61.002(a), and 264.304(c). Amends Government Code, Sections 26.045(d), 29.003(i), 54.1172(a), Section 54.1952(a), 54.1955, 54.1956, 71.0352, 102.021, 103.021, and 81.032.

Adds Code of Criminal Procedure, Articles 45.0531 and 45.0541. Adds Education Code, Sections 25.085(g) and (h), 25.0916(c-1), Adds Family Code, Title 3A. Adds Government Code, Chapter 36 and Section 103.035. Repeals Code of Criminal Procedure, Articles 45.054 and 45.055, Education Code, Sections 25.094 and 25.0916(d), and Family Code, Sections 51.03(d), (e-1), and (g), and 54.05(a-1).

Change from current law: New Art. 45.0531, Code of Criminal Procedure, authorizes a court to dismiss a charge against a parent for the offense of contributing to nonattendance on a finding that the dismissal would be in the interest of justice because there is a low likelihood of recidivism by the defendant or because sufficient justification exists for the failure to attend school.

New Art. 45.0541, Code of Criminal Procedure, directs courts to order all records related to a conviction of, or a dismissal of a complaint for, the offense of failure to attend school under repealed Section 25.094, Education Code, to be expunged, including any documents in the possession of a school district or law enforcement agency.

Currently, under Art. 45.056, Code of Criminal Procedure, school districts and certain other governmental units are authorized to jointly employ a juvenile case manager. This article is amended to also allow the governmental units an option to jointly contribute to the costs of a juvenile case manager who is employed by only one governmental entity.

Currently, under Section 25.085(a), Education Code, compulsory attendance applies to a child who has not reached the child's 18th birthday. That section is amended to extend its applicability to a child who has not reached the child's 19th birthday.

Also, currently, under Section 25.085(e), Education Code, a school district may revoke for the remainder of the school year the enrollment of a person who is too old to be subject to compulsory attendance if the person has more than five unexcused absences in a semester. That subsection is amended to prohibit such a revocation on a day on which the person is physically present at school. New Section 25.085(g) requires the district to issue a warning letter to the person stating that the person's enrollment may be revoked if the person has more than five unexcused absences in a semester. New Section 25.085(h) provides that a district may impose a behavior improvement plan described by Section 25.0914(a-1)(11) as an alternative to revoking enrollment.

Section 25.091, Education Code, is amended to remove the authority of a school attendance officer to take a student into custody or, if the attendance officer is not a peace officer, to request that a peace officer take a student into custody.

Section 25.0915, Education Code, is amended:

- to require that a school district's truancy prevention measures include one or more of the following: a behavior improvement plan that includes school-based community service or includes a specific description of required or prohibited behavior, a time period not to exceed 45 days, or

penalties for additional absences; a behavior improvement plan that includes school-based community service; or referral to counseling, mediation, mentoring, teen court, community-based services, or other services addressing the student's truancy

- to authorize a district to offer additional counseling and not refer the student to truancy court if the truancy is a result of pregnancy, foster care, homelessness, or being the principal income earner for the student's family
- to require initiation of truancy prevention measures when a student has failed to attend school without excuse on three or more days or parts of days in a four-week period.
- to require dismissal of a petition for truant conduct if the referral does not affirm that prevention measures were applied but were unsuccessful and whether the student receives special education services; does not satisfy the elements of truant conduct, is not timely filed, or is otherwise substantively defective
- to require a district to employ a truancy prevention facilitator or juvenile case manager to implement the truancy prevention measures and to meet at least annually to discuss effective truancy prevention measures with a case manager or other individual designated by a truancy court or, alternatively, to designate an employee to perform those duties
- to require TEA to adopt rules to create minimum standards for truancy prevention measures, to establish a set of best practices for truancy prevention measures, and to provide for sanctions for districts that are not in compliance with Section 25.0915.

Section 25.0916 currently applies to only Bexar County. The section is amended to apply to any county with two or more courts hearing truancy cases and two or more school districts. The section requires establishment of a committee to recommend certain processes and procedures for truancy cases as well as prevention, intervention, and diversion methods related to reducing truancy.

Section 25.093, which is the offense of Parent Contributing to Nonattendance is amended so that the fine is not controlled by classification as a Class C misdemeanor, but rather by increasing fine limitations beginning with \$100 for the first offense and \$500 for a fifth or subsequent offense. Each day a child is out of school continues to be a separate offense.

Section 25.0951 is amended to require dismissal of a complaint for Parent Contributing to Nonattendance if the complaint is not made in compliance with Section 25.0951(b) which requires evidence of the parent's criminal negligence, does not allege the

elements required for the offense, is not timely filed, or is otherwise substantively defective. The section, as amended, also authorizes a school district to delay a referral of a student for truancy conduct or to not refer a student if the district is applying truancy prevention measures and determines the measures are succeeding.

Title 3A is added to the Family Code establishing truancy courts as civil courts and governing the proceedings of truancy courts. Section 65.003, Family Code, defines truant conduct as failing to attend school on 10 or more days or parts of days within a six-month period in the same school year without excuse. The new title consolidates in one location provisions related to truancy proceedings that were formerly located in various sections and articles of the Criminal Procedure, Education, Family, and Government Codes. Chapter 65, Subchapter A, addresses jurisdiction, venue, jury trial, waiver of rights, effect of adjudication, burden of proof, discovery, procedural rules, interpreters, electronic or digital signatures, public access to hearings, recording of proceedings, and juvenile case managers. Subchapter B addresses referrals, prosecutor review, petition requirements, timelines, summons, legal representation, answer to petition, guardian ad litem, hearing attendance, right to reemployment, subpoena of witness, and child alleged to be mentally ill. Subchapter C governs the adjudication hearing and remedies, maximum period a remedial order is effective, order affecting parents and others, liability arising from community service, court cost, hearing to modify, and motion for new trial. Subchapter D governs appeals, Subchapter E governs records, and Subchapter F governs enforcement of orders.

The Government Code is amended by adding Chapter 36 authorizing municipal or county judicial donation trust funds for the purpose of assisting needy children or families who appear before a court for a criminal offense or for truancy conduct by providing money for resources or services that eliminate barriers to school attendance or that seek to prevent criminal behavior such as curfew violation or another misdemeanor offense.

The bill makes numerous conforming repeals and amendments.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: School districts and open-enrollment charters need to update their compulsory attendance enforcement policies and procedures to conform to the statutory changes in Chapter 25 of the Education Code, including applying compulsory attendance to persons under the age of 19 under Section 25.085, ensuring that the district's or charter's truancy prevention measures include one of the required measures under Section 25.0915, employing a truancy prevention facilitator or juvenile case manager or designating another

employee to perform the applicable duties. The county judge and the applicable mayor in counties to which Section 25.0916, as amended, applies need appoint members as specified to the committee established under that section. The Texas Education Agency shall adopt rules required under Section 25.0915.

Outstanding Issues: None

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

Rulemaking Authority: The commissioner is required to adopt rules relating to truancy prevention measure under Section 25.0915.

Does this expressly apply to charters? It applies to conduct committed by charter school students. In addition, although only a few of the amended sections expressly apply to charters, the entire statutory scheme of compulsory attendance enforcement is applicable to charters since charters are authorized to select an attendance officer for that purpose under TEC Section 25.088. All attendance officers are required under TEC Section 25.091 to implement truancy prevention measures under TEC Section 25.0915.

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

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

HB 440

Amends Subsection 28.002(d),
Education Code

Summary: In identifying the essential knowledge and skills (TEKS) for physical education, the State Board of Education (SBOE) must ensure that the TEKS meet the needs of students with disabilities, including students who are eligible to participate in a district's special education program based on one or more of the following disabilities:

- Physical disability
- Mental retardation
- Emotional disturbance
- Learning disability
- Autism
- Speech disability
- Traumatic brain injury

Change from current law: Current law requires that physical education programs meet the needs of students with disabilities. This bill clarifies that a student with a disability is a student who is eligible to participate in a district's special education program as authorized by Chapter 29 of the Texas Education Code.

Effective Date: May 23, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: SBOE may need to amend rules to include the clarification that is now provided by statute

Does this expressly apply to charters? Yes, this legislation applies to charter schools as they are subject to the provisions related to special education programs in TEC, Chapter 29.

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

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

HB 1431

Adds Subsection 28.002(t), Education Code

Summary: The State Board of Education, in consultation with the commissioner of higher education and business and industry leaders, is required to develop an advanced high school language course that provides students with instruction in industry-related terminology that prepares them to communicate in a language other than English in a specific professional, business, or industry environment.

Change from current law: Current law requires the SBOE to adopt Texas Essential Knowledge and Skills for high school languages other than English courses, but does not require specific language courses. This bill would require development and adoption of a specific advanced language course to support career preparation.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: The SBOE will need to adopt TEKS for this new course. Rulemaking is not explicitly required, but the SBEC will need to include the certifications that a teacher may possess to teach this new course in 19 TAC, Chapter 231, rules for requirements for public school personnel assignments.

Does this expressly apply to charters? No

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

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

SB 968

Adds Subsection 28.002(w), Education Code

Summary: In adopting TEKS for health education, the SBOE must adopt TEKS that address the dangers, causes, consequences, signs, symptoms, and treatment of nonmedical use of prescription drugs.

TEA must compile a list of evidence-based prescription drug misuse awareness programs. A school district may choose a program from the TEA-compiled list to use in the district's middle school, junior high school, and high school health curriculum.

Change from current law: Under current law, the SBOE has authority to adopt TEKS for all subjects in the required curriculum. This bill would require the SBOE to add standards specifically related to the dangers, causes, consequences, signs, symptoms, and treatment of nonmedical use of prescription drugs.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: The SBOE is required to amend rules in 19 TAC, Chapter 115, related to TEKS for health education.

Does this expressly apply to charters? No

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

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

SB 97

Amends Sections 28.004(k) and 38.006, Education Code. Amends Sections 161.081(3) and (4); 161.082(a), (b), and (d), and adds 161.081(1-a), Health and Safety Code.

Summary: This legislation prohibits the sale or distribution of electronic cigarettes, or e-cigarettes, to persons younger than 18 years of age. E-cigarettes are defined as any device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. This definition is also added to the Texas Education Code, Chapter 38, Health and Safety. It also prohibits the possession, purchase, consumption or acceptance of e-cigarettes by an individual under the age of 18.

The board of trustees of a school district or open-enrollment charter school is required to prohibit possessing, smoking, or using e-cigarettes at a school-related or school-sanctioned activity on or off school property and must ensure that school personnel enforce the policies on school property.

A school district must publish in the student handbook and post on the district's Internet website whether the district has adopted and enforces policies and procedures that prescribe penalties for use of e-cigarettes.

Change from current law: Currently, districts must prohibit the possession or use of tobacco products at a school-related or school-sanctioned activity on or off school property and must ensure that school personnel enforce the policies on school property. A district must also publish in the student handbook and post on the district's Internet website whether the district has adopted and enforces policies and procedures that prescribe penalties for use of tobacco products. This legislation adds e-cigarettes to the prohibition and requirements for tobacco products.

Effective Date: October 1, 2015

Action required for 2015-16 School Year: The board of trustees of a school district or charter school must add e-cigarettes to the prohibition against possessing, smoking, or using tobacco at a school-related or school-sanctioned activity on or off school property. Districts must publish information regarding whether the district has adopted and enforces policies and procedures that prescribe penalties for use of e-cigarettes.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? The amendments to TEC §38.006 apply to open-enrollment charter schools. The board of trustees of an open-enrollment charter school is required to prohibit possessing, smoking, or using e-cigarettes at a school-related or school-sanctioned activity on or off school property and must ensure that school personnel enforce the policies on school property.

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, districts must publish in the student handbook and post on their website whether they have adopted and enforce policies and procedures that prescribe penalties for use of e-cigarettes.

SB 935

Adds Section 28.0061, Education Code

Summary: The commissioner must establish a reading excellence team pilot program. The pilot program is required to establish reading excellence teams composed of reading instruction specialists and to allow an eligible school district to request the assistance of a reading excellence team. The program must provide a reading excellence team to a requesting eligible school district.

A school district is eligible to participate in the pilot program if the district has low performance, as determined by the commissioner, on required reading diagnosis assessments for kindergarten, 1st, and 2nd grades or on the grade 3 STAAR reading assessment.

The reading excellence team must review with the district the results of the required reading diagnosis assessments for kindergarten, 1st, and 2nd grades or the grade 3 STAAR reading assessment to determine campuses and classrooms for kindergarten through 3rd grade with the greatest need of assistance. The reading excellence team must work with teachers on the identified campuses and classrooms to provide training necessary to improve student reading outcomes.

Change from current law: This legislation establishes a new reading excellence team pilot program.

Effective Date: May 28, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: The commissioner is required to adopt rules to administer this program, including rules establishing qualifications and criteria for selecting reading instruction specialists for a reading excellence team.

Does this expressly apply to charters? No

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

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

HB 505

Amends Subsection 28.009(b),
Education Code

Summary: This legislation would prohibit any administrative rules that limit the number of dual credit courses or hours in which

a student may enroll while in high school; the number of dual credit courses or hours in which a student may enroll each semester or academic year; or the grade levels at which a high school student may be eligible to enroll in a dual credit course.

Change from current law: Under current law the Texas Higher Education Coordinating Board has adopted administrative rules that limit high school students to no more than two dual credit courses per semester. This rule does not apply to students enrolled in approved Early College High Schools. The rules include an exception for students with “demonstrated outstanding academic performance and capability.” In such cases, students may be approved by the high school principal and chief academic officer of the college to enroll in more than two dual credit courses per semester, to a maximum of 15 semester credit hours.

Effective Date: May 23, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: Applies beginning with the 2015-2016 school year.

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

Rulemaking Authority: None

Does this expressly apply to charters? The bill applies to students who attend charter schools.

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

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

HB 1430

Adds Section 28.02122 and amends Section 28.025(c-1), Education Code

Summary: The Texas Education Agency must ensure that any information provided to students relating to health science careers includes information regarding mental health professions. Additionally, to the extent that the public services endorsement includes information on health science career pathways, information must include mental health careers as a possible pathway. Mental health courses are added to language regarding the public services endorsement.

Change from current law: Information regarding health science careers and the public services endorsement will now include information about mental health careers.

Effective Date: May 23, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: 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

HB 1993

Adds Subsection 28.022(e), Education Code

Summary: A district that uses an electronic platform for communicating student grade and performance information to parents may permit a parent to sign the following notices electronically:

- A notice provided at least once every 12 weeks of a student's performance in each class or subject
- A notice provided at least once every three weeks, or during the fourth week of each nine-week grading period, regarding a student's performance in a foundation subject if the student's performance in the subject is consistently unsatisfactory, as determined by the district

A signature may be obtained electronically, so long as the district retains a record verifying the parent's acknowledgment of the required notice. A district that accepts electronic signatures must offer parents the option to provide a handwritten signature.

Change from current law: Current law in the Texas Education Code is silent regarding electronic signatures. This bill explicitly permits electronic signatures related to notice of student performance.

Effective Date: May 28, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: 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

SB 453

Amends Subsection 28.023(c-1),
Education Code

Summary: A school district must give a student in a grade level six or above credit for a course or subject if the student earns a scaled score of 50 or higher on an exam approved by the local district board of trustees and administered through the College-Level Examination Program (CLEP).

Change from current law: Current law requires school districts to give a student in grades six and above credit for a course or subject if the students receives a scale score of 60 or higher on an administered through the CLEP. This bill would reduce the minimum required scaled score to 50 or higher.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: If a district board of trustees has approved CLEP exams for credit by examination, the district policy may need to be adjusted to reflect the new minimum required scaled score.

Outstanding Issues: None

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

Rulemaking Authority: Rulemaking is not explicitly required, but the SBOE will need to amend rules in 19 TAC, Chapter 74, related to credit by examination.

Does this expressly apply to charters? No

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

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

HB 3987

Adds Section 28.0024, Education Code and Section 33.0291, Human Resources Code. Amends Section 56.007, Education Code; and Sections 31.0039 and 32.02611, Human Resources Code.

Summary: School districts and open-enrollment charter schools are permitted to establish school-based savings programs to facilitate increased awareness of the importance of saving for higher education and facilitate personal financial literacy instruction. A district or school may offer the program in conjunction with an elective course in personal financial literacy.

Through partnerships with appropriate institutions, school-based savings programs may promote general savings by offering savings accounts or certificates of deposit through partner financial institutions. Programs may also promote savings dedicated for

higher education by offering through partner institutions accounts or bonds whose primary purpose must be to pay expenses associated with higher education. The legislation specifies that the following accounts or bonds may be offered:

- Section 529 Plan accounts
- Coverdell education savings accounts
- Certificates of deposit
- Savings accounts
- Series I savings bonds

A district or school starting a school-based savings program must seek to establish partnerships with appropriate institutions that are able to offer the above school-based accounts or bonds. Districts or schools may seek to also establish partnerships with public sector partners, private businesses, nonprofit organizations, and philanthropic organizations in the community. A partnership between a district or school and an appropriate institution is permitted to allow a student in the program or the student and an adult in the student's family to have an opportunity to jointly establish a school-based account or purchase a bond. Additionally, a partnership established between a district or school and an appropriate institution, public sector partner, private business, or nonprofit or philanthropic organization is permitted to provide a structure for the management of the school-based savings program and incentives that encourage contributions to a school-based account or purchase of a bond, including incentives that provide matching funds or seed funding.

The legislation excludes assets held in, or the right to receive payments or benefits from, any school-based account or bond as part of a school-based savings program from consideration in determining the following:

- The person's eligibility for a TEXAS grant or any other state-funded student financial assistance
- Whether the family meets household income and resource requirements for financial assistance under Human Resources Code, Chapter 31
- Eligibility and need for medical assistance under Human Resources Code, Chapter 32
- Whether a person meets family income and resource requirements for eligibility for the supplemental nutrition assistance program

The amount of these exclusions is limited to the amount of the cost of undergraduate resident tuition and required fees for one academic year consisting of 30 semester credit hours charged by the general academic teaching institution with the highest such tuition and fee costs for the most recent academic year, as determined by the Texas Higher Education Coordinating Board (THECB).

Change from current law: There are currently no provisions regarding school-based savings programs in state law. This legislation adds exclusions of assets held in, or the right to receive payments or benefits from, any school-based account or bond as part of a school-based savings program from consideration in determining eligibility for state-funded student financial assistance programs, the state household family assistance program, the state medical assistance program, and the supplemental nutrition assistance program.

Effective Date: June 20, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

HB 18

Adds Sections 28.015, 28.016, 33.009, 51.3062(u), 130.008(g) and (h) and amends Sections 7.0561(b), (c), (d), and (j), and 28.009(b), Education Code. Amends §303.003(b-2), Labor Code.

Summary: This legislation adds the State Board of Education to the entities that the Texas High Performance Schools Consortium is required to inform. Additionally, it adds standards and systems relating to career and college readiness to the topics the consortium is required to address. It increases to 30 the number of consortium districts and charter schools the commissioner is permitted to select for participation in the consortium and increases the percentage of the total number of students enrolled in public schools that can be from consortium participants to 10 percent. The legislation moves the responsibility for reports concerning the performance and progress of the consortium from the commissioner to the consortium and eliminates outdated language regarding previous reports. It requires that the reports be submitted to the legislature, SBOE, and commissioner not later than December 1 of each even-numbered year.

Rules related to the college credit program under which a school is required to offer students the opportunity to earn the equivalent of at least 12 semester credit hours of college credit while in high school may not limit the number of dual credit courses or semester credit hours in which a student may enroll while in high school or limit the number of dual credit courses or semester

credit hours in which a student may enroll each semester or academic year.

TEA is required to develop and make available to school districts in English, Spanish, and Vietnamese, uniform public outreach materials that explain the importance and outline the details of changes made by HB 5, 83rd Texas Legislature, 2013 and subsequent associated decisions by the SBOE related to the Foundation High School Program. These materials must be developed no later than December 1, 2015.

Each school district must provide instruction to students in grade seven or eight in preparing for high school, college, and a career. The instruction must include information regarding the following:

- Creation of a high school personal graduation plan
- Distinguished level of achievement
- Each endorsement
- College readiness standards
- Potential career choices and the education needed to enter those careers

A school district is permitted to provide the required instruction as part of an existing course, provide the instruction as part of an existing CTE course designated by the SBOE as appropriate for that purpose, or establish a new elective course through which to provide the instruction. Beginning with the 2015-2016 school year, each school district must ensure that each student receives the instruction at least once in grade seven or eight.

The Center for Teaching and Learning at The University of Texas at Austin is required to develop and make available postsecondary education and career counseling academies for school counselors and other postsecondary advisors employed by a school district at a middle, junior high, or high school. The Center for Teaching and Learning must solicit input from TEA, school counselors, the Texas Workforce Commission, institutions of higher education (IHE), and business, community, and school leaders. The academies must provide counselors and other postsecondary advisors with knowledge and skills to provide counseling to students regarding postsecondary success and productive career planning.

School counselors who attend an academy provided by the Center for Teaching and Learning are entitled to receive a stipend in an amount to be determined by the center from funds appropriated for this purpose. A stipend received for this purpose may not be considered in determining whether a school district is paying the school counselor the state-required minimum monthly salary.

A teacher of a course that provides instruction in preparing for high school, college, and a career that is required to be provided to students in grades seven or eight may attend an academy

provided by the Center for Teaching and Learning. If funds are available after all eligible school counselors have received a stipend for the academy, the center must pay a stipend to a teacher who attends the academy. A stipend received for this purpose may not be considered in determining whether a school district is paying the teacher the state-required minimum monthly salary.

The Center for Teaching and Learning must develop an online instructional program that districts may use to provide the instruction in preparing for high school, college, and a career required to be provided to students in grades seven or eight.

For the development of the training, instructional programs, and technological tools, and conducting related evaluations, the center may access the P-20/Workforce Data Repository.

From available funds appropriated for this purpose, the center may provide to school counselors and other educators curricula, instructional materials, and technological tools relating to postsecondary education and career counseling. The center is required to comply with any applicable provision of the Family Educational Rights and Privacy Act of 1974 (FERPA) in performing its duties or exercising its authority under this legislation.

An IHE that administers a Texas Success Initiative (TSI) assessment instrument to students must report to each school district from which assessed students graduated high school all available information regarding student scores and performance on the TSI and student demographics. The THECB must adopt rules as necessary to implement this requirement, including rules for implementation that comply with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and FERPA, and any state law relating to the privacy of student information. This requirement begins with TSI assessments administered by public IHEs to entering undergraduate students for the 2016 fall semester.

A dual credit course offered through an agreement between a school district and a public junior college must be taught by a qualified instructor approved or selected by the junior college. An instructor is qualified if the instructor holds a doctoral or master's degree in the discipline that is the subject of the course or a master's degree in another discipline with a concentration that required completion of a minimum of 18 graduate semester hours in the discipline that is the subject of the course. For a course that is offered in an associate degree program and that is not designed for transfer to a baccalaureate degree program, an instructor must hold one of the degrees described above, a baccalaureate degree

in the discipline that is the subject of the course, or an associate degree and demonstrated competencies in the discipline that is the subject of the course, as determined by the THECB.

Not later than the 60th day after receipt, a public junior college must approve or reject an application for approval to teach a dual credit course at a high school that is submitted by an instructor employed by the district, organization, or other person that operates the high school with which the junior college entered into a dual credit agreement.

Funding from the Skills Development Fund may be awarded to a school district to be used under an agreement with a lower-division IHE to support courses offered for joint high school and college-level credit or offered under a college credit career or technical education program that leads to an industry-recognized license, credential, or certificate.

Change from current law: Current law allows the commissioner to select up to 20 districts and charter schools for participation in the Texas High Performance Schools Consortium and requires that no more than 5% of the total number of students enrolled in public schools can be from consortium participants. This legislation increases the number of districts and charter schools that may be selected for participation in the consortium to 30 and increases the total percentage of students enrolled in public schools that can be from consortium participants to 10%.

Current law requires the commissioner of education to submit a report concerning the performance and progress of the consortium. This legislation moves that responsibility from the commissioner to the consortium and eliminates outdated language regarding previous reports.

Currently, there is no requirement that middle school students receive instruction in preparing for high school, college, and a career. This legislation requires that each school district provide this instruction to students in grade seven or eight beginning with the 2015-2016 school year.

There is no requirement for postsecondary education and career counseling academies currently. This legislation establishes the requirement that the Center for Teaching and Learning at UT Austin develop and make available this training.

Currently, IHEs that administer a TSI assessment instrument to students have no reporting requirements. This legislation would require an IHE to report all available information regarding a student's TSI assessment results to the school district from which the student graduated.

There are no statutory requirements for junior college dual credit instructor qualifications in current law. This legislation adds specific qualifications for junior college dual credit instructors.

Currently, Skills Development Funds may only be awarded to lower-division IHEs. This legislation expands the award of Skills Development Fund monies to school districts to be used under an agreement with a lower-division institution of higher education.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Each school district must ensure that each student receives the instruction in preparing for high school, college, and a career at least once in grade seven or eight.

Outstanding Issues: None

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

Rulemaking Authority: Not explicitly required, but the commissioner will need to amend rules related to the Texas High Performance Schools Consortium to align with 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

HB 181

Amends Subsections 28.025(c-1), (c-5) and (e-1), Education Code

Summary: The requirement that school districts and charter schools print endorsements and performance acknowledgments on high school diplomas is removed. Districts must still include this information on high school academic achievement records/transcripts.

Change from current law: Current law requires districts and charter schools to print endorsements and performance acknowledgments on high school diplomas and on high school transcripts.

Effective Date: May 13, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

For further information, please contact:
Curriculum Division

Rulemaking Authority: SBOE will need to amend rules in 19, TAC, Chapter 74, that reference the current requirements

Does this expressly apply to charters? Yes

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

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

SB 149

Adds new Sections 28.025(c-6), 28.0258, 28.0259, 12.104(b-2), 39.025(a-2) and (a-3), Education Code

Summary: Each school district and open-enrollment charter school is required to establish an individual graduation committee for each 11th or 12th grade student who fails to comply with the EOC assessment performance requirements for not more than two courses. The committee must be established at the end of or after the student's 11th grade year to determine whether a student may qualify to graduate. A student may not graduate under this provision before the student's 12th grade year. The individual graduation committee must consist of

- the principal or his/her designee;
- the teacher of the course for which the student did not pass the EOC assessment;
- the department chair or lead teacher supervising the teacher of the course; and
- as applicable, the student's parent or guardian; a designated advocate; or the student, at the student's option, if the student is at least 18 years old or is an emancipated minor.

The superintendent of each school district and charter school must establish procedures for the convening of an individual graduation committee.

A school district or charter is required to provide an appropriate translator, if available, for a parent, guardian, or advocate who is unable to speak English.

A school district or charter must ensure a good faith effort is made to provide timely notification the parent, guardian, advocate, or student of the time and place for convening the individual graduation committee and the purpose of the committee. The notice must be provided in person or by regular mail or e-mail; clear and easy to understand; and written in English, Spanish, or, to the extent practicable, the native language of the parent, guardian, or advocate.

To be eligible to graduate and receive a high school diploma, a student must successfully complete the course requirements required by the State Board of Education for the foundation high school program or the minimum high school program (MHSP),

recommended high school program (RHSP), or distinguished achievement program (DAP) as allowed by the transition plan adopted by the commissioner of education.

A student's individual graduation committee must recommend additional requirements by which the student may qualify to graduate, including additional remediation. The committee must also recommend for each EOC assessment instrument on which the student failed to perform satisfactorily the completion of a project related to the subject area of the course that demonstrates proficiency in the subject area or the preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area. A student may submit coursework previously completed to satisfy this requirement.

In determining whether a student is qualified to graduate, the individual graduation committee must consider

- the recommendation of the student's teacher in each course for which the student failed to perform satisfactorily on an EOC assessment;
- the student's grade in each course for which the student failed to perform satisfactorily on an EOC assessment;
- the student's score on each EOC assessment on which the student failed to perform satisfactorily;
- the student's performance on any additional requirements recommended by the committee;
- the number of hours of remediation that the student has attended, including attendance in a college preparatory course, if applicable, or attendance in and successful completion of a transitional college course in reading or mathematics;
- the student's school attendance rate;
- the student's satisfaction of any of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board;
- the student's successful completion of a dual credit course in English, mathematics, science, or social studies;
- the student's successful completion of a high school pre-Advanced Placement (AP), AP, or International Baccalaureate program course in English, mathematics, science, or social studies;
- the student's rating of advanced high on the most recent high school administration of the Texas English Language Proficiency Assessment System (TELPAS);
- the student's score of 50 or greater on a College-Level Examination Program (CLEP) examination;
- the student's score on the ACT, SAT, or Armed Services Vocational Aptitude Battery (ASVAB) test;

- the student’s completion of a sequence of courses under a career and technical education program required to attain an industry-recognized credential or certificate;
- the student’s overall preparedness for postsecondary success; and
- any other academic information designated for consideration by the board of trustees of the school district or charter.

After considering the criteria listed above, the individual graduation committee may determine that the student is qualified to graduate. A student for whom an individual graduation committee is established may graduate and receive a high school diploma on the basis of the committee’s decision only if the student successfully completes all additional requirements recommended by the committee; meets the course requirements of the foundation high school program, MHSP, RHSP, or DAP, as applicable; and the committee’s vote is unanimous. The decision of a committee is final and may not be appealed.

A school district must administer an EOC assessment to any student who fails to perform satisfactorily on an EOC assessment.

Change from current law: Currently, all students must meet course completion and testing requirements in order to be awarded a high school diploma in Texas. This bill would create a process by which students could earn a high school diploma without meeting all of the testing requirements.

Effective Date: May 11, 2015

Action required for 2014-15 School Year: The superintendent of each school district and charter school must establish procedures for the convening of an individual graduation committee. For the 2014-15 school year only, each school district and charter school must establish procedures for appointing alternative committee members if a person required by statute to be part of the committee is unable to serve. For the 2014-15 school year only, each school district and charter school must establish a timeline for making a determination regarding a student’s eligibility to graduate based on the individual graduation committee decision.

Outstanding Issues: The commissioner is required to adopt rules related to this new provision not later than the 2015-16 school year.

This provision expires September 1, 2017.

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

Rulemaking Authority: The commissioner is required to adopt rules as necessary to implement the section establishing high school diplomas awarded on the basis of individual graduation committee review and the section requiring reporting related to students who graduate on the basis of individual graduation

committee review. The commissioner is specifically required to establish procedures for appointing alternative committee members if a person required by statute to be part of the committee is unable to serve and to establish a timeline for making a determination regarding a student's eligibility to graduate based on the individual graduation committee decision.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Each district will be required to report through PEIMS not later than December 1 of each year the number of students for which an individual graduation committee was established the previous school year and the number of students who were awarded a diploma based on an individual graduation committee decision the previous school year.

Does this bill require the agency or ISD to post information to their website? Yes. The agency is required to post information reported by districts through PEIMS regarding the number of students for which an individual graduation committee was established and the number of students who were awarded a diploma based on an individual graduation committee decision.

HB 2025

Amends Subsection 28.0255(b),
Education Code

Summary: Hutto ISD is now eligible to implement a pilot program for students who wish to obtain a high school diploma after completion of three years of secondary school attendance as an alternative to the traditional four-year period of attendance. Dallas ISD was previously the only district this applied to.

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

Change from current law: Under current law only one school district is eligible to implement this pilot program. This bill makes a second school district eligible to implement the pilot program.

Effective Date: June 16, 2015

Action required for 2015-16 School Year: An eligible district is required to submit curriculum requirements to the agency and SBOE prior to implementing the pilot.

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

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

State Funding Division
Amanda Brownson (512) 463-0986 or
Amy Copeland (512) 463-8732

Rulemaking Authority: No

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No, but districts will need to report the number of students that graduate in three years in order to deliver appropriate funding.

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

HB 2349, Section 1

Amends Subsection 28.025(c-5),
Education Code

Summary: Section 1 of this bill permits a student to earn a performance acknowledgment for

- outstanding performance on an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace;
- outstanding performance on an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or
- earning a state recognized or nationally or internationally recognized business or industry certification or license.

Change from current law: Current law specifically identifies the PSAT, the ACT-Plan, the SAT, and the ACT as assessments for which a student may earn a performance acknowledgment. This bill replaces specific references with more general references to college preparation assessments and preliminary college preparation assessments. Additionally, current law permits a student to earn a performance acknowledgment for earning a nationally or internationally recognized business or industry certification or license. This bill would add state recognized credentials.

Effective Date: June 18, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No action is required by ISDs or charter schools.

Outstanding Issues: No

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

Rulemaking Authority: Rulemaking is not explicitly required, but the SBOE will need to amend rules in 19 TAC, Chapter 74, to align with the new language in statute.

Does this expressly apply to charters? Yes

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

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

SB 1259

Amends Sections 29.001 and 29.005, Education Code

Summary: The statewide plan for delivery of services to children with disabilities must include procedures designed to require local education agencies (LEAs) to develop a process by which a teacher who instructs a student with a disability in a regular classroom setting may provide input into the development of the student's individualized education program (IEP). If an ARD committee is required to include a regular education teacher, the regular education teacher included must, to the extent practicable, be a teacher who is responsible for implementing a portion of the student's IEP.

The written statement of an IEP must document the decisions of the ARD committee with respect to issues discussed at each committee meeting. The written statement must include

- the date of the meeting;
- the name, position, and signature of each member participating in the meeting; and
- an indication of whether the child's parents, the adult student, if applicable, and the administrator agreed or disagreed with the decisions of the committee.

Change from current law: Current law requires TEA to develop, and modify as necessary, a statewide design, consistent with federal law for the delivery of services to children with disabilities in Texas that includes rules for the administration and funding of the special education program so that a free appropriate public education is available to all children with disabilities between the ages of three and 21. This bill adds specific requirements related to ARD committee procedures.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Beginning with the 2015-2015 school year, LEAs must have a process in place aligned with the new requirements related to teachers who instruct students with disabilities and must ensure that ARD committees include the additional information outlined above in the written statement of an IEP.

Outstanding Issues: None

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

Rulemaking Authority: Rulemaking is not explicitly required, but the commissioner will need to amend rules to align with the additional statutory requirements.

Does this expressly apply to charters? Yes

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

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

SB 507

Adds Section 29.022 and amends Sections 26.009(b) and 42.2528, Education Code

Summary: A school may videotape a student or record his/her voice without consent from the student's parents in order to promote student safety. Also in order to promote student safety, by request of a parent, trustee, or staff member, a school district or open-enrollment charter school must provide equipment for videotaping, including a video camera, to each school in which a student who receives special education services in a self-contained classroom or other special education setting is enrolled. Each school or campus that receives equipment must place, operate, and maintain one or more video cameras in each self-contained classroom or other special education setting in which a majority of the students in regular attendance are provided special education and related services; and assigned to a self-contained classroom or other special education setting for at least 50 percent of the instructional day.

A video recording of a student is confidential and may not be released or viewed except that a district or charter must release a recording for viewing by:

- a school district employee or a parent or guardian of a student who is involved in an incident documented by the recording for which a complaint has been reported to the district, on request of the employee, parent, or guardian, respectively;
- appropriate Department of Family and Protective Services (DFPS) personnel as part of an investigation;
- a peace officer, a school nurse, a district administrator trained in de-escalation and restraint techniques as provided by commissioner rule, or a human resources staff member designated by the board of trustees of the school district or the governing body of the open-enrollment charter school in response to a complaint or an investigation of district or

school personnel or a complaint of abuse committed by a student; or

- appropriate TEA or SBEC personnel or agents as part of an investigation.

If a person who views the video recording believes that the recording documents a possible violation the person must notify DFPS for investigation. If a person who views the video recording believes that the recording documents a possible violation of district or school policy, the person may allow access to the recording to appropriate legal and human resources personnel.

If the commissioner determines the amount appropriated for the Foundation School Program exceeds the amount to which school districts are entitled, the commissioner must establish a grant program through which excess funds are awarded as grants for the purchase of video equipment, or for the reimbursement of costs for previously purchased video equipment, used for monitory special education classrooms or other special education settings.

Change from current law: Currently, there is no requirement in statute, rule, or regulation that requires schools to install cameras in self-contained classrooms in order to promote student safety.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools. TEA must distribute funds, if available, in accordance with TEC, §42.2528.

Outstanding Issues: Beginning with the 2016-2017 school year, a school district or charter school must provide equipment for video recording upon request by a parent, trustee, or staff member to each school in the district in which a student who receives special education services in a self-contained classroom or other special education setting is enrolled. Each campus that receives the equipment must place, operate, and maintain one or more video cameras as required by this law.

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

Rulemaking Authority: The commissioner may adopt rules to implement and administer the requirements of this new law.

Does this expressly apply to charters? Yes

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

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

HB 218

Amends Subsection 29.061(b) and (c) and adds Subsection 29.061 (b-1) and (b-2), Education Code

Summary: Teachers assigned to bilingual education programs that use a dual language immersion/one-way or two-way program model must be appropriately certified by SBEC for bilingual education to teach the component of the program provided in a language other than English. Teachers assigned to teach the portion of the program provided in English must be appropriately certified by SBEC for bilingual education or English as a second language (ESL).

A school district that provides a bilingual education program using a dual language immersion/one-way or two-way program model is permitted to assign a teacher certified in bilingual education for the component of the program provided in a language other than English and a different teacher certified in ESL for the English language component.

Change from current law: Current law requires all teachers assigned to a bilingual education program, regardless of the program model, to be certified by SBEC in bilingual education. This legislation would allow teachers who provide the English language component of a dual language immersion/one-way or two-way program model to be certified in ESL instead of bilingual education.

Effective Date: June 15, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: Rulemaking is not explicitly required, but the commissioner will need to amend rules related to bilingual education and SBEC will need to amend certification requirements related to bilingual education to align with the change in the law.

Does this expressly apply to charters? No

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

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

HB 1613

Amends TEC, Subsections 29.061(b) and (c) and adds new 29.061(b-1) and (b-2), Education Code

Summary: Not later than January 1, 2016, the State Board of Education (SBOE) must adopt a chart by rule that clearly indicates

the alignment of the college readiness standards and expectations with the Texas Essential Knowledge and Skills (TEKS).

Change from current law: The SBOE is currently required to incorporate the college readiness standards into the TEKS. The SBOE is now also required to adopt a chart that reflects the integration of the college readiness standards in the TEKS.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: The SBOE is required to adopt the alignment chart by 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

HB 2660

Amends Subsection 29.0822(d) and adds subsection (d-1), Education Code

Summary: This bill is related to Foundation School Program funding for students enrolled in an optional flexible school day program (OFSDP).

The bill amended Section 29.0822, Education Code, by making a conforming amendment to subsection (d) and adding new Subsection (d-1).

New Subsection (d-1) would require the commissioner to calculate average daily attendance (ADA) for students in an OFSDP using the same instructional hour requirements for the regular program, rather than using a full-time equivalent basis that requires six hours of student contact time to qualify for a full day of attendance.

Section 2 of the bill includes conforming language in Section 42.005, Education Code.

Change from current law: Reduces the number of hours of instruction needed for students participating in the OFSDP to generate full- and part-time funding.

Effective Date: June 17, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: School districts will be able to reduce the number of hours of instructions for OFSDP students.

Outstanding Issues: The TEA is in the process of reconciling attendance requirements among three bills (HB 2610, HB 2660, and SB 496) that effect attendance requirements.

For further information, please contact:
State Funding Division,
Amy Copeland (512) 463-8732 or
Ashley Behnke (512) 463-4834

Rulemaking Authority: The commissioner may adopt rules to implement this legislation

Does this expressly apply to charters? Charter schools are subject to attendance requirements.

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

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

HB 4

Amends Sections 12.104(b), 25.001(a), 29.1532(c), and 42.003(b), Education Code. Adds new Sections 8.058, 29.1532(d), 29.1543, 29.1545, 21.464, and Chapter 29, Subchapter E-1, Education Code

Summary: A regional education service center (ESC) is permitted to offer to teachers employed by school districts the training required to be awarded a Child Development Associate (CDA) credential.

A student participating in a high-quality prekindergarten program class is entitled to the benefits of the available school fund.

Any school district that offers prekindergarten classes, including a high-quality prekindergarten program class, must report the following information in PEIMS:

- Demographic information on students enrolled in district and campus prekindergarten classes, including the number of students who are eligible for prekindergarten classes
- The numbers of half-day and full-day prekindergarten classes offered by the district and campus
- The sources of funding for the prekindergarten classes
- The class size and ratio of instructional staff to students for each prekindergarten program class offered by the district and campus
- A description and the results of each type of assessment instrument if the district elects to administer an assessment instrument to students enrolled in district and campus prekindergarten program classes
- Curricula used in the district's prekindergarten program classes

Information required above to be included in a school district's PEIMS report may not be used for purposes of determining a district's accreditation or a campus or district performance rating.

TEA must produce and make available to the public on the TEA website annual district and campus-level reports containing information from the previous school year on early education in school districts and open-enrollment charter schools. These reports must contain the following:

- The information required to be submitted through PEIMS regarding prekindergarten programs
- A description of the diagnostic reading instruments required to be administered at kindergarten and first and second grade levels
- The number of students who were administered a kindergarten, first, and second grade level diagnostic reading instrument
- The number of students whose scores from a diagnostic reading instrument for kindergarten and first and second grade levels indicate reading proficiency
- The number of kindergarten students who were enrolled in a prekindergarten program in the previous school year in the same district or school as the district or school in which the student attends kindergarten

Additionally, TEA and the Department of Family and Protective Services (DFPS) must conduct a joint study to develop recommendations regarding optimal class sizes and student to teacher ratios for prekindergarten classes. The TEA and DFPS must base their recommendations on data collected from prekindergarten programs, including high quality prekindergarten programs, reported through PEIMS and observations of best practices and examples from effective prekindergarten programs across the state. TEA must submit to the legislature a report detailing its findings and recommendations not later than September 1, 2016.

The commissioner must adopt rules to establish a grant funding program under which funds are awarded to school districts and open-enrollment charter schools to implement a high-quality prekindergarten grant program. A district or charter school may participate in and receive funding under this program if the district or charter meets all required program standards.

A district or charter school is eligible for half-day Foundation School Program (FSP) funding for each student who satisfies eligibility requirements under the high-quality prekindergarten grant program and who is enrolled in a program class. In addition, a district or charter school is entitled to receive grant funding in an amount to be determined by the commissioner for each qualifying

student in average daily attendance in a program class. The commissioner may not establish an amount of funding per qualifying student in attendance for the entire instructional period on a school day that exceeds \$1,500. A student qualifies for the additional grant funding if the student meets the state prekindergarten eligibility requirements and is four years of age on September 1 of the year the student begins the program. A school district that receives this grant funding may use the funding only to improve the quality of the district's prekindergarten programs. The total amount of funding distributed to school districts under the high-quality prekindergarten grant program may not exceed \$130 million for 2016-2017 state fiscal biennium.

A district must select and implement a curriculum for a high-quality prekindergarten grant program that includes the Prekindergarten Guidelines established by TEA, measures the progress of students in meeting the recommended learning outcomes, and does not use national curriculum standards developed by the Common Core State Standards Initiative.

Each teacher for a prekindergarten program class must be certified under SBEC certification requirements and have one of the following:

- A Child Development Associate (CDA) beginning with the 2016-2017 school year, or another early childhood education credential approved by TEA,
- Certification offered through a training center accredited by Association Montessori Internationale or through the Montessori Accreditation Council for Teacher Education
- At least eight years' experience of teaching in a nationally accredited child care program
- Be employed as a prekindergarten teacher in a school district that has received approval from the commissioner for the district's prekindergarten-specific instructional training plan that the teacher uses in the teacher's prekindergarten classroom
- An equivalent qualification

A school district or charter school that provides a high-quality prekindergarten program may allow a teacher employed by the district to receive the training required to be awarded a CDA credential from an ESC that offers the training. Training may not include national curriculum standards developed by the Common Core State Standards Initiative.

A district or charter school that provides a high-quality prekindergarten program must attempt to maintain an average ratio in any prekindergarten program class of not less than one certified teacher or teacher's aide for each 11 students.

A district or charter school that provides a high-quality prekindergarten program is required to develop and implement a family engagement plan to assist the district in achieving and maintaining high levels of family involvement and positive family attitudes toward education. The family engagement plan must be based on family engagement strategies established by TEA in collaboration with other state agencies. TEA must collaborate with state agencies, including the Health and Human Services Commission (HHSC), that provide services for children from birth through five years of age to establish prioritized family engagement strategies to be included in a prekindergarten family engagement plan. A parent-teacher organization, community group, or faith-based institution may submit to TEA recommendations regarding the establishment of family engagement strategies, and TEA must consider any recommendations received. The family engagement strategies must be based on empirical research and be proven to demonstrate significant positive short- and long-term outcomes for early childhood education.

A district or charter school that provides a high-quality prekindergarten program must select and implement methods for evaluating the district's high-quality prekindergarten program classes by measuring student progress. The district or school must make data from the results of the evaluation available to parents.

A district or charter school that provides a high-quality prekindergarten program may administer diagnostic assessments to students in a high-quality prekindergarten program class to evaluate student progress, but the district or charter school may not administer a state standardized assessment instrument. An assessment instrument administered to a high-quality prekindergarten program class must be selected from a list of appropriate prekindergarten assessment instruments identified by the commissioner.

The commissioner is required to evaluate the use and effectiveness of funding provided under this grant program in improving student learning and must identify effective instructional strategies implemented by districts and schools under this program. Beginning in 2018, the commissioner must deliver a report to the legislature concerning the results of this evaluation not later than December 1 of each even-numbered year.

A school district participating in the high-quality prekindergarten grant program is permitted to enter into a contract with an eligible private provider to provide services or equipment for the program. To be eligible to contract with a school district to provide a program or part of a program, a private provider must be licensed

by and in good standing with DFPS. A private provider is considered to be in good standing with the DFPS if DFPS has not taken an action against the provider's license during the 24-month period preceding the date of a contract with a school district. The private provider must be accredited by a research-based, nationally recognized, and universally accessible accreditation system approved by the commissioner. Additionally, the private provider must be a Texas Rising Star Program provider with a three-star certification or higher, be a Texas School Ready! Participant, have an existing partnership with a school district to provide a prekindergarten program not provided under this legislation, or be accredited by an organization that is recognized by the Texas Private School Accreditation Commission. A prekindergarten program provided by a private provider under this legislation is subject to the requirements of the high-quality prekindergarten grant program.

The commissioner is required to develop a prekindergarten teacher training course to be offered to prekindergarten teachers employed by a school district or open-enrollment charter school. The course must provide the instruction in the development and operation of effective prekindergarten classes, including training in the following:

- Prekindergarten Guidelines
- Effective and systematic instructional techniques for teaching prekindergarten students using the Prekindergarten Guidelines
- Comprehensive classroom curriculum design and implementation

Change from current law: This legislation permits ESCs to offer training required for a CDA to teachers employed by school districts. Additionally, it requires any school district that offers prekindergarten classes, including a high-quality prekindergarten program class, to report in PEIMS certain information regarding prekindergarten classes. It requires TEA to produce and make available annual district and campus-level reports on early education. It also requires TEA and DFPS to conduct a joint study to develop recommendations regarding optimal class sizes and student to teacher ratios for prekindergarten classes. It requires the commissioner to adopt rules to establish a grant funding program under which funds are awarded to school districts and open-enrollment charter schools to implement a high-quality prekindergarten grant program.

Effective Date: May 28, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: School districts or charter schools will be required to demonstrate compliance with all requirements in order to be eligible for the high-quality prekindergarten grant program.

Outstanding Issues: The commissioner must adopt administrative rules prior to making this grant program available to school districts and charters. Preparation of reports required by §29.1543 and §29.1543 are dependent on funding and no specific funds were appropriated for this purpose.

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

Rulemaking Authority: The commissioner may adopt rules necessary to implement this legislation and to establish a grant funding program under which funds are awarded to school districts and open-enrollment charter schools to implement a high-quality prekindergarten grant program.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes, all districts that offer prekindergarten programs will have additional PEIMS reporting requirements. Additionally, districts participating in the grant program must implement methods for evaluating the district's high-quality prekindergarten program classes by measuring student progress and make data from the results of the evaluation available to parents.

Does this bill require the agency or ISD to post information to their website? TEA must produce and make available on its website annual district and campus-level reports on early education.

SB 1004

Adds Subsection 29.402(a-1), 130.008(g), 130.086(d-1), and 130.090(a-1), Education Code

Summary: A public junior college with a service area located wholly or partly in Harris County is permitted to enter into an articulation agreement with Houston ISD to provide a dropout recovery program in accordance with TEC §29.402(a).

A public junior college with a service area located wholly or partly in Harris County must enter into an agreement with Houston ISD to offer one or more dual credit courses. A student enrolled in Houston ISD may enroll in a course at any junior college that has entered into an agreement with the district to offer the dual credit course regardless of the service area of the junior college.

A public junior college with a service area located wholly or partly in Harris County is not required to establish that another institution is unable to offer a dual credit course prior to offering a dual credit course within the service area of another public junior college.

The governing board of a public junior college with a service area located wholly or partly in Harris County is permitted to contract

with the governing board of Houston ISD to provide remedial programs for students enrolled in secondary schools in the school district in preparation for high school graduation and entrance into college.

Change from current law: Currently state law restricts certain activities and agreements among junior colleges and school districts only to school districts that fall within the service area of a junior college. This legislation would remove those restrictions for agreements between public junior colleges with a service area located wholly or partly in Harris County and for Houston ISD.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

For further information, please contact:

Curriculum Division

(512) 463-9581

curriculum@tea.texas.gov

Rulemaking Authority 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

HB 1474

Amends Subsections 31.0211(a) and (d), 31.0212(a), 31.0215(a) and (b), 43.001(d), Education Code and amends Subsection 403.093(d), Government Code

Summary: This legislation changes the annual fifty percent set aside from the permanent school fund distribution for instructional materials to a biennial set aside for instructional materials.

The legislation also changes a district's annual IMA to a biennial IMA and requires the commissioner to establish the allotment amounts based on enrollment in the previous biennium and to deposit the full amount for the biennium in district accounts in the first year of the biennium.

It also grants authority to TEA, to the extent authorized by the GAA, to make temporary transfers from the foundation school fund for payment of the instructional materials allotment (IMA).

Change from current law: Under current law, school districts receive an IMA annually. This legislation changes a district's annual IMA to a biennial IMA.

Under current law, an installment may not be made earlier than two days before the date an installment to school districts is

required and must not exceed the amount necessary for that payment. This legislation allows an earlier date for an installment from the general revenue fund to the foundation school fund if it is necessary for payment of the IMA.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: The commissioner will be required to amend current rules related to the IMA.

Does this expressly apply to charters? Charters will also receive their IMA biennially rather than annually.

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

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

HB 1305

Amends Subsections 33.901 (a) and (b) and adds (a-1). Amends Subsection 42.152 (b) and adds (b-1), Education Code.

Summary: This bill is related to eligible students attending a public school, the method of determining the number of educationally disadvantaged students for the compensatory education allotment, and the use of compensatory education allotment funds.

Section 1 of the bill amended Section 33.901, Education Code, by amending Subsections (a) and (b) and adding Subsection (a-1).

Subsection (a) was amended to allow school districts or charter schools to meet the requirement to provide breakfast if 10 percent or more of the district's students are eligible to receive free or reduced-price breakfast by participating in the national program or by providing a locally funded program as long as the prices do not exceed the maximum allowable rates under the national program.

New Subsection (a-1) allows a school district to participate in either the national program or locally funded program at each campus of the district.

Subsection (b) was amended to allow school districts or charter schools to meet their requirement to provide a free breakfast to all students on a campus when 80 percent or more of the students on a campus qualify for a free or reduced-price lunch under the national program by either participating in the national program or providing a locally funded program.

Section 2 of the bill would amend Section 42.152(b), Education Code, by amending Subsection (b) and adding Subsections (b-1) and (c-3).

Subsection (b) was amended to base the computation of students who are economically disadvantaged by averaging the best six months' numbers of students eligible for enrollment in the National School Lunch Program (NSLP) or by commissioner rule. Additional amendments repealed the prohibition against counting students who were eligible by commissioner rule if any campus in the district participated in the NSLP.

New Subsection (b-1) provides that students receiving a full-time virtual education through the state virtual school network could be included in the computation of economically disadvantaged students if the district submits a plan to the commissioner detailing the enhanced services that will be provided to the student and the commissioner approves the plan.

Change from current law: School districts and charter schools would be able to include their students who are being serviced on campuses that offer local breakfast and lunch programs in their count of students who are economically disadvantaged for the purposes of compensatory education funding.

Effective Date: June 20, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: School districts and charter schools may begin reporting students under the new provisions during the 2015-16 school year. Due to the lag in reporting related to compensatory education funding, the newly reported students will generate additional funding beginning with the 2016-17 school year.

Outstanding Issues: Criteria for the approval of plans for providing compensatory education services in virtual school environments will need to be considered.

For further information, please contact:
State Funding Division
Amanda Brownson (512) 463-0986 or
Amy Copeland (512) 463-8732

Rulemaking Authority: Commissioner will need to amend existing rules.

Does this expressly apply to charters? Yes

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

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

HB 1559

Adds Section 33.906, Education Code

Summary: Each school district that maintains an Internet website must post information regarding local programs and services, including charitable programs and services, available to assist homeless students. A school district must make a good faith effort to compile information and post the information in a format and style that is easily understandable by students or parents, as appropriate based on the grade levels the school offers.

A representative of a local program or service available to assist homeless students may request to have information concerning the program or service posted on a school's website. However, a school is not required to post information as requested by the representative.

This requirement does not apply to a school district that has an enrollment of fewer than 3,000 students and that is primarily located in a county with a population of less than 50,000.

Change from current law: Current state law does not require the posting of information related to the availability of resources to assist homeless students.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Schools are required to post on their website information regarding local program and services available to assist homeless students. Information must be posted in a format and style that is easily understandable by students or parents, as appropriate based on the grade level that school offers.

Outstanding Issues: None

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

Rulemaking Authority: 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

HB 3562

Adds Section 33.908, Education Code

Summary: This bill requires school districts that allow students to use a prepaid meal card or account to purchase meals served at the school to adopt a grace period policy regarding the use of the cards or accounts. The policy must allow a student whose meal

card or account balance is exhausted or insufficient to continue, for a period determined by the district, to purchase meals by accumulating a negative balance on the student's card or account or otherwise receiving an extension of credit from the district without charging a fee or interest. The policy must require the district to notify the parent of or person standing in parental relation to the student that the student's meal card or account balance is exhausted and may permit the district to set a schedule for repayment on the account balance as part of the notice.

Change from current law: Current law does not address a grace period for purchasing meals.

Effective Date: June 18, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Requires school districts that allow students to use a prepaid meal card or account to purchase meals served at the school to adopt a grace period policy regarding the use of the cards or accounts that complies with the related requirements in new Section 33.908.

Outstanding Issues: None

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

Rulemaking Authority: 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

SB 107

Adds Section 37.0012 and amends Sections 37.002(a), 37.007(a) and 37.009(a) and (f), Education Code

Summary: The bill requires a person at each campus to be designated as the campus behavior coordinator who will be the primary individual responsible for maintaining student discipline and addressing issues related to removing a student from class. The bill would establish the responsibilities of the campus behavior coordinator which includes notification to the parent or guardian if a student was removed from class and placed in an alternative setting or taken into custody by law enforcement.

The bill removes from the circumstances under which a student's expulsion is required the student's use, exhibition, or possession of certain weapons on school property or while attending a school-sponsored or school-related activity on or off of school property and instead includes among such circumstances the student's engagement in conduct that contains the elements of the offense of unlawfully carrying weapons or elements of an offense relating to prohibited weapons.

The bill requires a school district board of trustees, before ordering the expulsion of a student, to consider whether the student acted in self-defense, the intent or lack of intent at the time the student engaged in the applicable conduct, the student's disciplinary history, and whether the student has a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct, regardless of whether the board's decision concerns a mandatory or discretionary action.

Change from current law: Designates a specific person to be responsible for maintaining student discipline and changes the elements of the offense of unlawfully carrying weapons under Section 46.02 Penal code.

Effective Date: June 20, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Schools must designate a campus behavior coordinator.

Outstanding Issues: None

For further information, please contact:
Candace Stoltz
(512) 463-9286

Rulemaking Authority: 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

SB 996

Adds Subsection 37.0811(h), Education Code

Summary: If a parent or guardian of a student enrolled at a school inquires in writing, the school district or open-enrollment charter school shall provide written notice to the parent or guardian indicating whether any employee of the school is currently appointed a school marshal.

Change from current law:

Effective Date: June 19, 2015

Action required for 2015-16 School Year: If requested must provide notice to parents.

Outstanding Issues: None

For further information, please contact:
Candace Stoltz
(512) 463-9286

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

HB 2684

Adds Section 37.0812, Education Code

Summary: This legislation requires school districts, with an enrollment of 30,000 or more students that commissions a school district peace officer or where a school resource officer provides law enforcement, adopt a policy requiring the officer to complete an education and training program required by Occupations Code 1701.263

Change from current law: This is a new requirement.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: By February 1, 2016, school districts must adopt the training policy for school district peace officers and school resource officers.

Outstanding Issues: None

For further information, please contact:
Candace Stoltz
(512) 463-9286

Rulemaking Authority: 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

SB 108

Amends Subsections 37.141(1), 37.143(a) and Adds Subsection 37.145(c), Education Code

Summary: Section 37.141 (1) Criminal Procedure defines a child as a student and at least 10 years of age and younger than 18 years of age. Section 37.143 (a) adds law enforcement officer and school resource officer to the list of who may not issue a citation to a child who is alleged to have committed a school offense. Section 37.145 adds section (c) which states that a complaint may include a recommendation by a school employee that the child attend a teen court program, if the employee believes it is in the best interest of the child.

Change from current law: Adds more specifics under criminal procedures for a child.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: None

Outstanding Issues: None

For further information, please contact: Rulemaking Authority: No
Candace Stoltz
(512) 463-9286

Does this expressly apply to charters? No

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

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

HB 1783, Sections 1, 4 & 5

Adds Section 37.148 and amends subsection 12.104(b), Education Code.
Amends subsection 39.06(a), Penal Code

Summary: HB 1783 recognizes the right of school district or open-enrollment charter school employees to report crime and modifies the required superintendent reporting of educator misconduct and criminal histories to the State Board for Educator Certification.

Change from current law: HB 1783 amends 12.104(b) by adding subsection (2)(O) to require open-enrollment charter schools to comply with the “the right of a school employee to report a crime” under new TEC Section 37.148. The addition of 37.148 permits an employee of a school district or an open-enrollment charter school to report a crime that they have witnessed at the school to any peace officer with authority to investigate the crime. The new language likewise bars the school district or open-enrollment charter school from adopting a policy that would limit the ability of the employee to report to the person of their choosing as described above.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: School districts and open-enrollment charter schools must now grant this right to their employees.

Outstanding Issues: None

For further information, please contact: Rulemaking Authority: No
Doug Phillips
Educator Investigations
(512) 936-8400

Does this expressly apply to charters? Yes

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

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

HB 10

Amends Subsection 38.004 (a),
Education Code

Summary: This legislation requires TEA include reports related to trafficking of a child in the policy governing reports of child abuse

or neglect. For purposes of this requirement, a person commits a child trafficking offense if the person

- knowingly traffics a child with the intent that the trafficked child engage in forced labor or services;
- receives a benefit from participating in a venture that involves an activity in which a trafficked child engages in forced labor or services, including receiving labor or services the person knows are forced labor or services; or
- traffics a child and by any means causes the trafficked child to engage in, or become the victim of continuous sexual abuse of a young child or children; indecency with a child; sexual assault; aggravated sexual assault; prostitution; promotion of prostitution; aggravated promotion of prostitution; compelling prostitution; sexual performance by a child; or employment harmful to children.

Change from current law: This bill adds the requirement that reports of child abuse or neglect include reports related to trafficking of a child. The required TEA policy must currently require a school district or open-enrollment charter school employee to report child abuse or neglect. This bill adds trafficking of a child to the required reporting by school district and open-enrollment charter school employees.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: Each school district and open-enrollment charter school employee is required to report child abuse or neglect including trafficking of a child.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

SB 265

Adds Section 38.021, Education Code

Summary: A student is permitted to possess and use a topical sunscreen product while on school property or at a school-related event or activity to avoid overexposure to the sun and not for the medical treatment of an injury or illness if the product is approved by the federal Food and Drug Administration for over-the-counter use.

This new law does not waive any immunity from liability of a school district, its board of trustees, or its employees and does not create any liability for or a cause of action against a school district, its board of trustees, or its employees.

Change from current law: Current law is silent on the use of topical sunscreen products.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes, this applies to charter schools as they are subject to health and safety requirements in TEC, Chapter 38.

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

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

HB 744

Amends Subsection 38.024(a),
Education Code

Summary: The board of trustees of a school district is permitted to obtain insurance against bodily injuries sustained by students while training for or engaging in interschool athletic competition or while engaging in school-sponsored activities regardless of the location.

Change from current law: Current law permits the board of trustees of a school district to obtain insurance against bodily injuries sustained by students while training for or engaging in interschool athletic competition or while engaging in school-sponsored activities on a school campus. This bill removes the specification that a competition or activity must be on a school campus.

Effective Date: May 23, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes, this applies to charter schools as they are subject to health and safety requirements in TEC, Chapter 38.

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

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

SB 66

Adds new Chapter 38, Subchapter E, and amends Subsection 38.0151(f), Education Code

Summary: The commissioner of state health services must establish an advisory committee to examine and review the administration of epinephrine auto-injectors to a person experiencing an anaphylactic reaction on a campus of a school district or an open-enrollment charter school. The advisory committee must be composed of members appointed by the commissioner of state health services. The majority of the advisory committee must include physicians with expertise in treating anaphylaxis, including physicians who specialize in the fields of pediatrics, allergies, asthma, and immunology. At least one member of the advisory committee must be a registered nurse employed by a school district or open-enrollment charter school as a school nurse. The advisory committee is required to advise the commissioner of state health services on the following:

- The storage of epinephrine auto-injectors on school campuses
- The training of school personnel and school volunteers in the administration of an epinephrine auto-injector
- A plan for one or more school personnel members or school volunteers trained in the administration of an epinephrine auto-injector to be on each school campus

Each school district and open-enrollment charter school is permitted to adopt and implement a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors at each campus in the district or school. Any policy adopted under this legislation must permit school personnel and school volunteers who are authorized and trained to administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis on a school campus. The policy may permit school personnel and school volunteers who are authorized and trained to administer an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis at an off-campus school event or while in transit to or from a school event.

The commissioner of state health services, in consultation with the commissioner of education, and with the advice of the advisory committee, must adopt rules regarding the maintenance, administration, and disposal of an epinephrine auto-injector at a school campus subject to a local district policy. The rules must establish the number of epinephrine auto-injectors available at each campus, process for each district and charter school to check the inventory of epinephrine auto-injectors at regular intervals for expiration and replacement, and amount of training required for school personnel and school volunteers to administer an epinephrine auto-injector.

Each district and charter school that adopts a policy for the maintenance, administration, and disposal of epinephrine auto-injectors must require that each campus have one or more school personnel members or school volunteers authorized and trained to administer an epinephrine auto-injector present during all hours the campus is open. Additionally, the supply of epinephrine auto-injectors at each campus must be stored in a secure location and be easily accessible to school personnel and school volunteers authorized and trained to administer an epinephrine auto-injector.

The legislation also establishes reporting requirements related to the administration of an epinephrine auto-injector. Not later than the 10th business day after the date a school personnel member or school volunteer administers an epinephrine auto-injector in accordance with the local policy, the school must report certain information to the school district or the charter holder, the physician or other person who prescribed the epinephrine auto-injector, the commissioner of education, and the commissioner of state health services. The required report must include the following information:

- The age of the person who received the administration of the epinephrine auto-injector
- Whether the person who received the administration of the epinephrine auto-injector was a student, a school personnel member or school volunteer, or a visitor
- The physical location where the epinephrine auto-injector was administered
- The number of doses of epinephrine auto-injector administered
- The title of the person who administered the epinephrine auto-injector
- Any other information required by the Commissioner of Education

Each school district and open-enrollment charter school that adopts a policy for the maintenance, administration, and disposal of epinephrine auto-injectors is responsible for training school

personnel and school volunteers in the administration of an epinephrine auto-injector. The training must

- include information regarding how to recognize the signs and symptoms of anaphylaxis, administer an epinephrine auto-injector, implement emergency procedures, if necessary, after administering an epinephrine auto-injector, and properly dispose of used or expired epinephrine auto-injectors;
- be obtained in formal training sessions or through online education; and
- be completed annually.

This legislation requires each school district and open-enrollment charter school to maintain the employee training records.

A physician or person who has been delegated prescriptive authority under Chapter 157, Occupations Code, may prescribe epinephrine auto-injectors in the name of a district or charter school. The prescribing physician is required to provide the district or school a standing order for the administration of an epinephrine auto-injector to a person who is reasonably believed to be experiencing anaphylaxis. The standing order is not required to be patient-specific and the administration is allowed to occur without a prior established physician-patient relationship.

An order issued by a physician in accordance with this legislation must contain the following:

- Name and signature of the prescribing physician or other person
- Name of the school district or open-enrollment charter school to which the order is issued
- Quantity of epinephrine auto-injectors to be obtained and maintained under the order
- Date of issue

Notwithstanding any other provisions of law, supervision or delegation by a physician is considered adequate if the physician periodically reviews the order and is available through direct telecommunication as needed for consultation, assistance, and direction. A pharmacist is permitted to dispense an epinephrine auto-injector to a district or charter school without requiring the name or any other identifying information relating to the user.

If a district or charter school implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors, the district or school must provide written notice to a parent or guardian of each student enrolled in the district or school. Notice must be provided before the policy is implemented and before the start of each school year.

A district or charter school is permitted to accept gifts, grants, donations, and federal and local funds to support implementation of this legislation. The commissioner of education and the commissioner of state health services must jointly adopt rules necessary to implement this legislation.

A person who in good faith takes, or fails to take, action related to the maintenance, administration, and disposal of an epinephrine auto-injector under this legislation is immune from civil or criminal liability or disciplinary action resulting from action or the failure to act, including

- issuing an order for epinephrine auto-injectors;
- supervising or delegating the administration of an epinephrine auto-injector;
- possessing, maintaining, storing, or disposing of an epinephrine auto-injector;
- prescribing an epinephrine auto-injector;
- dispensing an epinephrine auto-injector;
- administering, or assisting in administering, an epinephrine auto-injector;
- providing, or assisting in providing, training, consultation, or advice in the development, adoption, or implementation of policies, guidelines, rules, or plans; or
- undertaking any other act permitted or required under this legislation.

The immunities and protections provided by this legislation are in addition to other immunities or limitations of liability provided by law. Notwithstanding any other law, this legislation does not create a civil, criminal, or administrative cause of action or liability or create a standard of care, obligation, or duty that provides a basis for a cause of action for an act or omission under this subchapter. A cause of action does not arise from an act or omission described by this section.

Additionally, districts, charter schools, school personnel, and school volunteers are immune from suit resulting from an act, or failure to act, under this legislation, including an act or failure to act under related policies and procedures. An act or failure to act by school personnel or a school volunteer under this subchapter, including an act or failure to act under related policies and procedures, is the exercise of judgment or discretion on the part of the school personnel or school volunteer and is not considered to be a ministerial act for purposes of liability of the school district or open-enrollment charter.

A school district or open-enrollment charter school that provides for the maintenance, administration, and disposal of epinephrine auto-injectors is not required to comply with the requirement in

TEC, §38.0151, to adopt and administer a policy for the care of students with a diagnosed food allergy at risk for anaphylaxis.

Change from current law: Currently, districts and charter schools are required to adopt and administer a policy for the care of students with a diagnosed food allergy at risk for anaphylaxis. This legislation would allow districts and open-enrollment charter schools to develop a local policy for the maintenance, administration, and disposal of epinephrine auto-injectors.

Effective Date: May 28, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: The commissioner of education and the commissioner of state health services must jointly adopt rules necessary to implement this legislation.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes, when an epinephrine auto-injector is administered by a school personnel member or school volunteer, the school is required to report certain information to the school district or the charter holder, the physician or other person who prescribed the epinephrine auto-injector, the commissioner of education, and the commissioner of state health services not later than the 10th business day after the date of administration.

In addition, if a school district or open-enrollment charter school implements a policy for the maintenance, administration, and disposal of epinephrine auto-injectors, the district or school shall provide written notice to a parent or guardian of each student enrolled in the district or school.

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

HB 743

Adds Subsections 39.023(a-11) through (a-13) and sections 39.0236, and 39.0381, Education Code

Summary: As added by HB 743, TEC, §39.023(a-11) requires an entity independent of the agency or the agency's contracted testing vendor to verify the reliability and validity of the grades 3-8 STAAR assessments.

New TEC, §39.023(a-12) imposes specific time requirements on the administration of grades 3-8 assessments. For grades 3-5, the assessments must be designed in such a way that 85% of the

students can finish within 120 minutes. For grades 6-8, 85% of the students must be able to finish the assessments within 180 minutes.

Added TEC, §39.023(a-13) specifies that an assessment given in grades 3-8 may not take longer than 8 hours to administer, and the administration must occur in a single day. This subsection would require the grades 4 and 7 writing assessments – currently administered over two days -- to be redesigned to be one-day assessments.

New TEC, §39.0236 requires the agency to conduct a study regarding the TEKS curriculum standards and the assessment instruments administered under TEC, §39.023 to students in grades 3-8 (as specified by TEC, §39.0236(b)(2)). The study must evaluate the contents of assessments administered to students in grades 3-8, how the tests assess standards essential to student success, whether the assessments should test supporting standards, identify the portion of the TEKS that can be accurately assessed, and assess how current assessments compare to the standards. The results of the study are due by March 1, 2016 to the State Board of Education (SBOE). The SBOE is required to submit the report and its recommendations based on the study to the Texas Legislature by May 1, 2016.

HB 743 adds TEC, §39.0381 to require the agency to, by rule, implement a methodology for the auditing and monitoring of the assessment contractor for services related to the development and administration of assessments under TEC, §39.023. TEC, §39.0381(b) specifies that the agency ensure all new and renewed assessment contracts include provisions to allow contract compliance reviews without advance notice to monitor contractor performance.

Change from current law: Currently, grades 3-8 assessments are designed to be finished within four hours. Grades 4 and 7 writing are administered over two days.

Per the reliability and validity of assessments, TEA follows various nationally established procedures to ensure full alignment with the TEKS curriculum, fairness, accuracy, validity, and reliability of the Texas assessment program. The Texas Technical Advisory Committee (TTAC), a panel of national testing experts created specifically for the Texas assessment program, provides ongoing advice to TEA about STAAR validity and reliability evidence based on national standards in measuring student learning. The specific processes used for each assessment within the statewide program are provided in various chapters of the Technical Digest. This is an ongoing process for all state-developed assessments.

In addition, the United States Department of Education (USDE) is required by statute to use a peer review process to approve state achievement standards and assessment systems required under Title I. Trained peers of education state officials and educational assessment experts review evidence and supporting material, provide written feedback to states regarding the review, provide technical assistance to states as needed, and offer a recommendation to USDE regarding the overall compliance with requirements of Title I. Each time a state develops a new assessment program or makes significant changes to an existing program (i.e., revisions to the content standards or performance standards), the state must resubmit its assessment program for peer review.

Currently, all state-developed tests meet established reliability and validity guidelines as set forth by the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education. Repeated administrations of the state-developed tests generate consistent results about student performance, and the results of assessments can be used to make inferences about students' knowledge and understanding of the TEKS curriculum standards. The assessments are also fully aligned to the TEKS.

Effective Date: June 19, 2015. The act applies beginning with the 2015-2016 school year.

Action required for 2015-16 School Year: Prior to the spring 2016 administration, the agency must determine whether the TTAC, or USDE peer review process to approve state achievement standards and assessment systems required under Title I, meets the requirements of (a-11). If not, an independent entity will need to be contracted with to perform the evaluation pending available funding.

The grades 3-5 reading and mathematics assessments must be revised and standards reset to meet the time requirements of subsection (a-12). The grades 6-8 reading and mathematics assessment standards will also need to be reviewed because those reporting scales are vertically linked to the grades 3-5 performance standards.

Subsection (a-13) requires grades 3-8 STAAR assessments to be administered within a single day. Grades 4 and 7 writing will need to be revised to be single-day assessments. Performance standards would need to be reset.

Outstanding Issues: If the TTAC or federal peer review do not meet the requirements of subsection (a-11), the independent evaluation is estimated to cost \$40,000 annually, or \$80,000 for the biennium. An appropriation was not provided for this activity.

The grades 3-5 assessments in reading and mathematics cannot be revised in time for the spring 2016 administration. The first administration of the shortened assessments would occur in spring 2017. Also, the shortened grades 3-5 assessments may not effectively measure the entirety of the TEKS curriculum standards. If so, these assessments would not be in compliance with federal law unless the TEKS themselves were redesigned around the standards being assessed.

The grades 6-8 assessments' performance standards will also need to be reviewed because they are vertically aligned to the grades 3-5 assessment standards. An appropriation was not provided for revision of assessments and standard setting.

The grades 4 and 7 writing assessments cannot be revised in time for the 2016 spring administration. The first administration of the new writing assessments would occur in spring 2017.

For further information, please contact:
Student Assessment Division;
(512) 463-9536
or, in regard to TEC, §39.0236,
Contracts and Purchasing.
(512) 463-7822

Rulemaking Authority: By rule, the commissioner will implement a methodology for the monitoring of any assessment contract. The commissioner may also revise assessment-related rules as necessary.

Does this expressly apply to charters? No

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

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

HB 2349

Adds Subsections 39.023(e-1), and §39.02315; amends §39.025(a), (f), and (g); repeals §§39.023(o), 39.0233(c), and 39.025(b-2), Education Code

Summary: With an amendment to TEC, §39.025(a) in section 2 of the bill, a student must only pass an EOC for a course in which the student was enrolled and for which an EOC is administered in order to receive a Texas diploma. Currently, regardless of course enrollment, a student on the foundation program must take and pass all five EOC assessments in order to receive a Texas diploma.

Section 2 amends §39.025(f) by repealing (f)(3) and moving it to added TEC, §39.023(e-1), which allows TEA to delay the release of any assessment currently under development or modification.

Section 3 adds TEC, §39.02315 to require the commissioner to adopt rules to report the results of state assessments for students who recently moved from another state separately from the results of other students. The agency will collect the student information on a student's assessment answer document and report to districts in a separate summary report.

In section 4, TEC, §39.025(g) is amended by striking the last sentence to remove the expiration date on subsections (f) and (g). Amended subsection (g) requires student notification of a student's assessment graduation requirements. Subsection (f) requires the agency to continue administering the TAKS exit-level assessments to qualifying students.

The below sections are repealed.

1. Section §39.023(o), requiring a study of the feasibility to use a dual-credit course to fulfill the requirements of an EOC requirement for graduation.
2. Section §39.0233(c), which requires the SBOE to set the performance standard on assessment questions used to identify college readiness.
3. Section §39.025(b-2), which requires a grade 11 student who is unlikely to meet the EOC graduation requirement to enroll in a college preparatory course. Currently, these courses do not exist.

Change from current law: Currently, regardless of course enrollment, a student on the foundation program must take and pass all five EOC assessments in order to receive a Texas diploma.

For reporting of assessment results, out-of-state transfer students are not reported separately.

Effective Date: June 18, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Section 3 of the bill requires the agency to adopt commissioner rules to ensure out-of-state transfer students are properly identified and reported in agency systems, and specify procedures for reporting and tracking that data.

Assessment answer documents will be amended to allow districts to identify an out-of-state transfer student.

As required by Section 4 of the bill, the agency will amend rules related to EOC assessment participation and graduation requirements to specify that a student is only required to take an EOC for a course in which he/she is enrolled.

Outstanding Issues: None

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

Rulemaking Authority: Section 3 of the bill requires the agency to adopt commissioner rules to ensure out-of-state transfer students are properly identified and reported in agency systems, and specify procedures for reporting and tracking that data.

As required by Section 4 of the bill, the agency will amend rules related to EOC assessment participation and graduation

requirements to specify that a student is only required to take an EOC for a course in which he/she is enrolled.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Section 3 of the bill requires the agency to adopt commissioner rules to ensure out-of-state transfer students are properly identified and reported in agency systems, and specify procedures for reporting and tracking that data.

As required by Section 4 of the bill, the agency will amend rules related to EOC assessment participation and graduation requirements to specify that a student is only required to take an EOC for a course in which he/she is enrolled.

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

HB 1164

Adds Section 39.02301, Education Code

Summary: Beginning with the 2016-2017 school year, TEC, §39.02301 establishes a pilot program for the assessment of writing.

Per subsection (a), prior to the 2016-2017 school year, TEA and its testing contractor are required to conduct a study to determine an alternative method to assess writing in place of the grades 4 and 7 writing assessments and the English I and English II EOC assessments developed under §39.023(a) and (c).

For the 2016-2017 and 2017-2018 school years, the agency must designate at least one rural, one medium-sized, and one large urban school district to participate in the writing assessment pilot program.

Change from current law: Currently, students enrolled in grades 4 and 7 are administered the State of Texas Assessments of Academic Readiness (STAAR) writing assessments. Students enrolled in high school English I or English II are administered the appropriate STAAR end-of-course assessment.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: Development of a methodology to assess writing is required in 2015-2016. The pilot program would begin in 2016-2017.

Outstanding Issues: The agency could not establish a writing pilot program for an entire medium- or large-sized district. The agency did propose a smaller program involving 300 students per grade

level, but even that more modest program would cost an estimated \$1.69M over the biennium.

Subsection (d) does require the agency to apply any cost savings resulting from the exemptions of participating districts from the writing assessments under TEC, §39.023(a) and (c) to the costs associated with the pilot program. However, the state anticipates very little, if any, savings, from exempting participating students, or even an entire district, from the writing assessments under TEC, §39.023(a) and (c) since most costs are fixed. Further, though subsection (d) does exempt a participating student from taking the writing assessment under TEC, §39.023(c), HB 1164 does not exempt that student from the state's assessment graduation requirements under TEC, §39.025. As such, at the high school level, the state would anticipate the pilot program's participants would take the English I and/or English II EOCs.

Student Assessment anticipates approximately \$8,000 in annual savings beginning in spring 2017 due to exempting participating students from the current writing assessments. No savings are derived from exempting students from the English I or English II EOCs since those EOCs are required for graduation and are a part of federal accountability. At this time, Student Assessment does not have the necessary appropriation or staff to conduct the writing pilot. The remaining savings from the modification of the grades 4 and 7 writing assessments (see HB 743), approximately \$300,000, will not cover the significant costs of implementing this legislation.

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

Rulemaking Authority: Subsection (i) requires the agency to adopt rules as necessary to administer the pilot program.

Does this expressly apply to charters? Yes, the bill applies to charters in that charters are not excluded from participation in the pilot program.

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Participating districts would be responsible for jointly coordinating the scoring of the writing assessments. Districts would also be required to report the scored writing assessments to the agency.

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

HB 1613

Amends Subsections 39.025(a-1) and (a-2), Education Code

Summary: HB 1613 amends TEC, §39.025(a-1) to stipulate that a student enrolled in an English language arts (ELA) or mathematics college preparatory course under TEC, §28.014 who meets the

college-readiness benchmark of the applicable TSI assessment has satisfied the assessment graduation requirement for that subject area. As written, for English language arts, a student meeting the college-readiness benchmark on the reading and writing TSI at the end of the college preparatory course would satisfy both the English I and English II EOC requirements. The mathematics TSI assessment would satisfy the Algebra I EOC requirement. A student may satisfy an assessment graduation requirement in such a manner regardless of previous performance on an Algebra I, English I, or English II end-of-course (EOC) assessment. If a student fails to meet the TSI college-readiness benchmark, the student may retake either the TSI or the applicable EOC for purposes of graduation.

TEC, §39.025(a-2) is amended to include current TEC, §39.025(a-1) as it existed prior to this bill. No additional changes were made to the subsection.

Change from current law: Since the agency has not been able to determine whether the TSI has sufficient content overlap with the state's curriculum to allow its use as a substitute assessment, TSI is not currently an approved substitute for the Algebra I, English I, or English II end-of-course assessments.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: Prior to the December 2015 EOC administration, Student Assessment will amend rules pertaining to the use of TSI as a substitute assessment in place of the corresponding EOCs.

Outstanding Issues: As written, for English language arts, a student meeting the college-readiness benchmark on the reading and writing TSI at the end of the college preparatory course would satisfy both the English I and English II EOC requirements.

The TSI requirements of this bill must be aligned with the TSI provisions of SB 149.

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

Rulemaking Authority: Rule amendments concerning the use of TSI in place of the Algebra I, English I, and English II EOC assessments will be needed.

Does this expressly apply to charters? Yes

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

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

SB 149, Section 4

Adds Subsections 39.025(a-2) and (a-3),
Education Code

Summary: This bill revises the state's assessment graduation requirements. First, a student who has failed to achieve the EOC assessment graduation requirements for no more than two courses may receive a Texas high school diploma if the student has qualified to graduate by means of an individual graduation committee (IGC) under TEC, §28.0258. Second, a student who did not meet satisfactory performance on the Algebra I or English II EOC after retaking the assessment, but who receives a score of proficient on the Texas Success Initiative (TSI) assessment in the corresponding course, has satisfied the EOC requirement for that course. Both provisions expire September 1, 2017.

Though a student who has failed to achieve the EOC assessment graduation requirements for no more than two courses may receive a Texas high school diploma if the student has qualified to graduate by means of an IGC, the agency clarifies that a student may not graduate under an IGC if the student did not take each EOC assessment required under 19 TAC Chapter 101, [Assessment, Subchapter CC, Commissioner's Rules Concerning Implementation of the Academic Content Areas Testing Program](#), Division 2, [Participation and Assessment Requirements for Graduation](#) or an approved substitute assessment in Subchapter DD, [Commissioner's Rules Concerning Substitute Assessments for Graduation](#), of the same chapter for each course for which there is an EOC assessment. Further, regardless of any IGC action, a district must provide a student an opportunity to retake an EOC if the student has not previously achieved satisfactory performance on an EOC or substitute assessment for that subject. A student is not required to retake a course in order to be administered a retest of an EOC assessment.

The assessment provisions of SB 149 are effective with the 2014-2015 school year, expire September 1, 2017, and only apply to students enrolled in grades 11 or 12 for the 2014-2015, 2015-2016, and 2016-2017 school years.

Change from current law: Currently students are required to meet the assessment graduation requirements for five end-of-course assessments to receive a Texas diploma.

Effective Date: May 11, 2015

Action required for 2014-15 School Year: Amend current emergency commissioner rules related to EOC graduation requirements. Existing commissioner rules, TAC, §101.1007 will be suspended that currently allow certain ELL students an exemption from passing the STAAR English I EOC assessment, until the expiration of SB 149 on September 1, 2017.

Outstanding Issues: Issues that may need clarification in commissioner rule include:

- The definition of “take” or “fails to comply with” the end-of-course assessment performance requirements in order to qualify for the provisions of the legislation;
- The expiration date of September 1, 2017, as it applies to students enrolled in grades 11 or 12 in the 2014-2015, 2015-2016, and 2016-2017 school years;
- The applicability to students with disabilities who failed a modified EOC assessment in 2012 or 2013;
- The applicability of the TSI provision to students who previously took separate reading and writing assessments for the English II EOC;
- The alignment between the TSI provision in SB 149 and the TSI provision of HB 1613; and
- The use of a TELPAS reading score or composite score by the IGC.

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

Rulemaking Authority: The commissioner shall adopt rules as necessary to implement the IGC provisions of the bill by the 2015-2016 school year. The commissioner may also amend rules related to assessment graduation requirements as necessary.

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Not later than December 1 of the school year following the school year the student was awarded a diploma, SB 149 requires school districts to report through PEIMS students participating and/or graduating based on the IGC review process.

Does this bill require the agency or ISD to post information to their website? Yes. The agency will make available on its website the information school districts report through PEIMS about participating and/or graduating students based on the IGC review process.

SB 1867

Adds Subsection 39.053(g-2), Education Code

Summary: This bill requires the agency to remove certain students receiving special education services from longitudinal rates calculated for state accountability. These exclusions apply to students who (1) are at least 18 years of age as of September 1; (2) have satisfied credit requirements for high school graduation; (3) have not completed their individualized education program (IEP); and (4) are enrolled and receiving IEP services.

Change from current law: Currently, students who continue to enroll in high school after a class's expected graduation date are included in longitudinal rates calculated for state accountability; this continuing students group includes students with IEPs that specify continued high school enrollment. TEC §39.053(g-2) excludes the special education students specified from longitudinal rate calculations.

Effective Date: June 19, 2015. This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. PEIMS must be modified in order to implement this requirement.

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

HB 2804

Adds Subchapter N and Sections 39.0535 and 39.0546; Amends Sections 39.053, 39.054, 39.0545 (b) (c) and (d), 11.252(a), 11.253(c) and (d), 12.1013(c), 29.062(a), 39.023(a-8), 39.052(b), 39.055, 39.056(b), 39.102(a), 39.263(a), 39.301(b), 39.305(b), 39.332(b)(2) and (20); Sections 39.053(e) and 39.054(b), (d), and (d-1) are repealed.

Summary: To evaluate public school performance, HB 2804 establishes five domains of indicators by which district and campuses must be evaluated for the purpose of accountability. The bill requires that 55 percent of the overall performance rating be attributed to the first, second, and third domains, 35 percent of the overall performance rating to the fourth domain, and 10 percent of the overall performance rating to the fifth domain. The bill also requires the accountability system to assign a rating of A, B, C, D, or F to each of these domains, as well as to each district and campus. Districts are also required to assign themselves ratings of A, B, C, D, or F for each of the indicators of community and student engagement and an overall rating of A, B, C, D, or F for overall community and student engagement. Finally, the bill establishes the Texas Commission on Next Generation Assessment and Accountability and changes the deadline for the annual release of accountability ratings from August 8 to August 15.

Change from current law: : Section 1 changes the heading for §39.053 to Performance Indicators: Achievement

Section 2 is effective for the 2017–18 school year. This section specifies that accountability indicators measure and evaluate schools with respect to not only improving preparedness 1) for subsequent grade levels, 2) the workforce, 3) the military, and 4)

postsecondary education, but also closing gaps among students from different ethnic groups and socioeconomic backgrounds and informing the public. Section 2 also establishes five domains of indicators as follows:

Domain 1 will include the results of STAAR assessments for grades 3–8 and all EOCs aggregated across grade levels by subject area including the percentage of students reaching the satisfactory passing standard and college readiness standard.

Domain 2 will include the percentage of students who met the standards for annual improvement regardless of whether they met or did not meet the satisfactory or college readiness standards.

Domain 3 will evaluate academic achievement gaps among students from different racial/ethnic groups and socioeconomic backgrounds.

Domain 4 evaluates different indicators depending on campus type: high schools and middle school/elementary schools. For high schools, the indicators will be as follows: dropout, completion, and graduation rates; the percentage of students completing distinguished level of achievement; the percentage of students earning an endorsement; the percentage of students who complete a coherent sequence of CTE courses; the percentage of students meeting TSI benchmarks; the percentage of students who earn 12 hours of dual credit; the percentage of students who complete AP courses; the percentage of students who enlist in military; and the percentage of students who earn an industry certification. For middle and elementary campuses, the indicator will be student attendance. For middle schools, dropout rates and the percentage of students in grades seven and eight who receive instruction in preparing for high school, college, and career will also be included. Domain 3 may also include any additional indicators of student achievement not associated with scores on standardized assessments that the commissioner determines is appropriate after consultation with educators, parents, business and industry representatives, and employers.

Domain 5 will include three programs related to community and student engagement ratings. Districts select which three indicators to use and report the data to the agency.

Section 3 is effective for the 2015–16 school year. This section changes the deadline for releasing accountability ratings in 2016 from August 8 to August 15.

Section 4 is effective for the 2016–17 school year. This section changes the annual deadline for releasing accountability ratings from August 8 to August 15 for 2017 and beyond.

Section 5 is effective for the 2017–18 school year. This section requires the accountability system to assign a rating of A, B, C, D, or F to each of the five domains used to determine campus and district performance, as well as assign each district and campus an overall rating of A, B, C, D, or F. A reflects exemplary performance; B reflects recognized performance; C, acceptable performance; and D or F, unacceptable performance. It adds that a reference in law to acceptable performance includes a performance rating of A, B, exemplary, or recognized. This section also requires that 55 percent of the overall performance rating be attributed to the first, second, and third domains; for elementary and middle schools, 35 percent of the overall performance rating to the fourth domain, for high schools, 10 percent to the high school graduation rate and 25 percent to the remainder of the indicators in Domain 4; and 10 percent of the overall performance rating to the fifth domain.

Section 6 is effective for the 2017–18 school year. This section makes conforming changes to §39.0545(b). This section also requires that—in the event of a retake of an assessment by a student in a dropout recovery school—only the best assessment result be used to determine accountability ratings. It also prohibits using assessments of students in dropout recovery schools who have not been continuously enrolled for 90 days to determine accountability ratings.

Section 7 is effective for the 2017–18 school year. This section requires both districts and campuses to select and report to the agency three programs or categories to determine community and student engagement ratings, submit to the agency the criteria the district and each campus will use to evaluate itself, and make the information available on the district’s and each campus’s website. Based on the programs and criteria selected, each school district will assign to itself and to each of its campuses a performance rating of A, B, C, D, or F, for both overall performance and for each program or category evaluated. Districts and campuses must report these ratings to the agency on or before a date to be established by commissioner rule.

Sections 8 is effective on the same date the act becomes effective. This section of the bill establishes Texas Commission on Next Generation Assessments and Accountability to develop and make recommendations for new systems of student assessment and public school accountability. The commission will be composed of 15 members as follows:

- Four members appointed by the governor
- Three members appointed by the lieutenant governor
- Three members appointed by the speaker of the house of representatives

- The chair of the senate committee on education or their designee
- The chair of the senate committee on higher education or their designee
- The chair of the committee on public education in the house or their designee
- The chair of the committee on higher education in the house or their designee
- A member of the State Board of Education (SBOE), as designated by the chair.

The governor, lieutenant governor, and speaker of the house will coordinate appointments to ensure that the commission includes at least one of the following representatives:

- A parent or person standing in parent relation to a public school student
- A public school educator
- A public school educator participating in the Texas Higher Performance Schools Consortium (THPSC)
- A member of the business community
- A member of the civic community
- A leader in student assessment development and use
- A leader in research regarding student assessment and education outcomes.

The governor will designate the presiding officer.

The commission members will be entitled to reimbursement for actual and necessary expenses incurred when performing commission duties, and the Texas Education Agency (TEA) will provide administrative support to the commission funded by appropriation. The commission will develop recommendations to address the purpose of a state accountability system and the role of student assessment; opportunities to assess students that provide actionable information, support learning activities, recognize the application of skills and knowledge, measure growth and mastery, and critical thinking. Commission recommendations will also address alignment of state performance standards with college and career readiness; policy changes to enable student progress; policy changes necessary to meet state goals, as well as policy changes that are community based, promote parent and community involvement, and reflect unique community needs.

The commission will develop a report that considers THPSC recommendations and makes recommendations for statutory changes and deliver it to the governor and the legislature by September 1, 2016. In conducting its work, the commissioner may hold public meetings. The commission is abolished on January 1, 2017.

Sections 9 through 21 make conforming changes to other sections of the TEC. Except for Section 13, these sections are effective for the 2017–18 school year. Section 13 is effective for the 2015–16 school year.

Section 22 is effective for the 2017–18 school year. This section of the bill repeals §39.053 (e), and §39.054(b), (d), and (d-1).

Section 23 requires the commissioner to adopt the set of indicators to measure and evaluate school districts and campuses with A–F ratings by December 1, 2016.

Section 24 requires the commissioner to submit a report on or before January 1, 2017, that will show the rating that each district and campus would have received for the 2015–16 school year for each of the first four domains if the A–F ratings had been in place that year. It will also show the correlation between those ratings and the percentage of economically disadvantaged students and ELL students at each district and campus. The report will be disaggregated by race, ethnicity, and socioeconomic status.

Effective Date: Section 3 applies beginning with the 2015–16 school year. Section 4 applies beginning with the 2016–17 school year. Except for sections 12, 23, and 24, the remainder of the act applies beginning with the 2017–18 school year. Section 13 is effective for the 2015–16 school year. Section 23 requires adoption of indicators by December 1, 2016. Section 24 requires a report to be submitted to the legislature by January 1, 2017.

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

Action required for 2015-16 School Year: Establish and support Texas Commission on Next Generation Assessments and Accountability to develop and make recommendations for new systems of student assessment and public school accountability. Coordinate with PEIMS division in order to collect three new data elements. Change the annual deadline for releasing accountability ratings from August 8 to August 15. Adopt a set of indicators to measure and evaluate school districts and campuses with A–F ratings by December 1, 2016.

Outstanding Issues: None

Rulemaking Authority: The commissioner is given rulemaking authority to implement this bill

Does this expressly apply to charters? Yes

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

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

HB 1842

Amends Sections 7.028(a), 12.101(b-4), 12.116, 29.315, 30.005, 39.056, 39.058,

Summary: This bill relates to various measures of school accountability, and includes provisions regarding the expansion of

39.102(a), 39.106(a), 39.107(a), (a-1), (b), (b-1), (b-2), (d), (e), (e-1), (e-2), (f), and (g), and 39.114; Adds Sections 11.0511, Chapter 12A, 39.106(a-1), 39.107 (a-2), (b-3), (b-4), (b-5), (b-6), (b-7), (b-8), (b-9), (e-4), (e-5), (e-6), (g-1), and (g-2), 39.1071, 39.112(d-1), (d-2), and (g), 39.1121 and 39.1122; Repeals Section 39.106(f), Education Code

charter school campuses, procedures for reviewing Commissioner decisions to deny renewal of or revoke an open-enrollment charter, and interventions and sanctions that may be imposed by the Commissioner to address deficiencies at campuses that have been rated academically unacceptable.

Provisions of HB 1842 that relate specifically to Complaints, Investigations and Enforcement functions include:

- (1) Amendments to TEC §12.116 in Section 3 of the bill require the Commissioner to adopt an informal procedure to be used for denying the renewal of an open-enrollment charter. This procedure must allow charter holder representatives to meet with the Commissioner and submit additional information relating to the Commissioner’s decision. In his final decision, the Commissioner must address in writing any information submitted by the charter holder during the informal procedure.
- (2) Amendments to TEC §§ 7.028, 29.315, 30.005, 39.056, and 39.058 in Sections 1 and 5-8 clarify that the agency may undertake “monitoring reviews and random on-site visits” (which may include desk reviews and on-site visits, including random on-site visits) pursuant to TEC §39.056, while “special accreditation investigations” will continue to be performed under TEC §§39.057 and 39.058. In Section 7, the bill authorizes the Commissioner to convert a monitoring review to a special accreditation investigation at any time, provided the Commissioner promptly notifies the school district of the conversion. In Section 8, the bill specifies that written procedures for conducting special accreditation investigations must include procedures that allow the agency to obtain information from district employees in a manner that prevents a district or campus from screening the information, and that these procedures must be made available on the agency’s Internet website. In Section 9, amendments to TEC §39.102 authorize the Commissioner to make a determination that any of the various interventions and sanctions set forth therein are appropriate on the basis of a special accreditation investigation conducted under §39.057.
- (3) Amendments to TEC §39.107 in Section 12 of the bill provide that the Commissioner shall order a campus that has been identified as unacceptable for two consecutive school years to prepare and submit a campus turnaround plan. The campus turnaround plan must take effect not later than the school year following the third consecutive school year that the campus received an academically unacceptable performance rating (§39.107(b-4)). The following provisions

relate to school governance and installation of a board of managers, specifically:

- a. The Commissioner may approve a campus turnaround plan only if he determines that the campus will satisfy all student performance standards required under TEC §39.054(e) not later than the second year the campus receives a performance rating following implementation of the plan. If the Commissioner does not make that determination, the Commissioner shall order appointment of a board of managers to govern the district (as provided by TEC §39.112(b)), alternative management of the campus, or closure of the campus (§39.107(d)).
 - b. If a campus is still considered to have an unacceptable performance rating for three consecutive school years after being ordered to submit a campus turnaround plan, the Commissioner shall either order appointment of a board of managers to govern the district (as provided by TEC §39.112(b)) or closure of the campus (§39.107(e)).
 - c. The Commissioner may authorize payment of a board of managers appointed under this section out of agency funds (§39.107(e)(5)).
 - d. The Commissioner may at any time replace a member of a board of managers appointed under §39.107 (§39.107(e-6)). The Commissioner may remove a board of managers from a district under this section only if the campus that was the basis for the appointment receives an academically acceptable performance rating for two consecutive years. If that campus fails to achieve those ratings, the Commissioner may remove the board of managers and, in consultation with the local community, may appoint a new board of managers to govern the district. (§39.107(f)).
 - e. Following removal of a board of managers under subsection (f) or at the request of a managing entity appointed under subsection (d) to oversee implementation of alternative management, the Commissioner may appoint a conservator or monitor for the district to ensure district-level support for low-performing campuses and to oversee implementation of the updated targeted improvement plan (§39.107(g)).
- (4) Amendments to TEC §39.112 in Section 14 of the bill require the Commissioner to provide effective leadership strategy training to each individual appointed to a board of managers,

as well as to the incoming board of trustees of a school district following the expiration of a board of managers' appointment (§39.112 (d-2),(g)). The bill also requires that, following each of the last three years of the period of the appointment, one-third of the members of the board of managers be replaced by the number of members of the elected school district board of trustees that constitutes, as closely as possible, one-third of the membership of the board of trustees (§39.112(e)).

- (5) Section 15 of the bill adds new TEC §39.1121, which sets forth the powers and duties of a board of managers appointed to an open-enrollment charter school and authorizes the Commissioner, if such a board is appointed, to also appoint a superintendent to that school or campus. The bill states that members of a board of managers as well as a superintendent appointed by the Commissioner under this section are entitled to sovereign immunity and to representation by the attorney general for acts taken in the course of their official capacity, and may be replaced by the Commissioner at any time. This section also adds new TEC §39.1122, which authorizes the Commissioner to provide compensation to members of a board of managers and to the appointed superintendent of an open-enrollment charter school out of funds received by or due to the former charter holder under TEC §12.106 or out of funds returned to the state following liquidation of state property held by a former charter holder and, if such funds are not available or if circumstances require, out of available agency funds.
- (6) Section 16 of the bill extends immunity from civil liability to members of a board of managers appointed by the Commissioner to the same extent as professional employees of school districts under TEC §22.051.

Change from current law: Currently, TEC §12.116 requires the Commissioner to have informal procedures in place to be used for revoking the charter of an open-enrollment charter school or for reconstituting the governing body of the charter holder, but not for denying the renewal of an open-enrollment charter. There is also no requirement under current law that representatives of the charter holder be allowed to meet with the Commissioner in person to discuss those decisions and to submit additional information.

Currently, the agency is generally required to have written procedures concerning investigations in place, and to make those procedures available to the complainant, the alleged violator, and the public; there is no specific requirement in current law to adopt procedures regarding how information should be obtained

from district employees, nor is there a requirement to place investigation procedures on the agency Internet website.

Currently, TEC §39.107 contains various options the Commissioner may utilize with respect to a campus that has been identified as unacceptable for two consecutive school years, which include ordering the reconstitution, repurposing, alternative management, and closure of that campus. There is no provision in current law that specifically contemplates the appointment of a board of managers to govern an entire school district on the basis of a single campus' low academic performance.

Currently, TEC §39.112 does not contain any requirements that individuals appointed to a board of managers or newly elected board of trustee members receive training provided by the Commissioner, nor are there currently requirements to phase-in replacement of appointees by elected trustees comparable to those found in HB 1842.

Current law authorizes the Commissioner to order a school district or campus to acquire professional services at the district's expense, which may include training of board of trustees members (TEC §39.109). Further, the costs of providing a monitor, conservator, management team, or managing entity are to be paid by the district pursuant to TEC §39.110, which authorizes the Commissioner, in the event that the district fails or refuses to timely pay, to pay those costs using amounts withheld from any funds to which the district is entitled, or to recover the amount of the costs in the manner provided for recovery of an over allocation of state funds under §42.258.

Current law provides statutory immunity from liability for professional school district employees for any act incident to or within the scope of the duties of the employee's position of employment and that involves the exercise of judgment or discretion on the part of the employee, but does not apply in circumstances involving excessive disciplinary force or the operation of a motor vehicle (TEC §22.051). That law currently defines "professional employee of a school district" to include members of an ISD board of trustees, but does not mention members of an appointed board managers.

Effective Date: June 19, 2015. This act applies to academic performance ratings issued to public school campuses beginning with the 2015-16 school year.

Action required for 2015-16 School Year: Amend current agency procedures and rules as soon as practicable to reflect that any procedures adopted under §12.116(a) concerning charter renewal denials, charter revocations or reconstitution must allow charter holder representatives to meet with the Commissioner to discuss his decision and to submit additional information (to which the Commissioner must respond in writing.) (Chapter 157 of the Texas

Administrative Code already provides for an informal review of determinations made regarding charter renewals under TEC Chapter 12, such that implementation of new §12.116(a)(2) by itself does not require a rule amendment.)

Amend current agency procedures as soon as practicable related to conducting special accreditation investigations under TEC Chapter 39, Subchapter C (“Accreditation”), to include procedures that allow the agency to obtain information from district employees in a manner that prevents a district or campus from screening the information, and conduct training for agency staff in these procedures as necessary. These written procedures must also be made available on the agency Internet website.

The Commissioner must provide training in effective leadership strategies to the elected board of trustees of any school district which has had a board of managers appointed and for which the appointment term of that board of managers will be allowed to expire during the 2015-16 school year.

Outstanding Issues: None

For further information, please contact:

School Governance
(512) 463-9623
Enforcement Coordination
(512) 463-3847
Special Investigations Unit
(512) 463-3355

Rulemaking Authority: Commissioner will adopt rules to implement these changes

Does this expressly apply to charters? Yes, the bill contains various provisions relating specifically to the expansion of charter school campuses, procedures to review decisions by the Commissioner to deny renewal of or to revoke an open-enrollment charter, and interventions and sanctions related to charter school campuses that are rated academically unacceptable.

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 bill requires the agency to make its procedures regarding conducting special accreditation investigations under TEC Chapter 39, Subchapter C (“Accreditation”) available on the agency Internet website.

HB 3106

Amends Section 39.112, Education Code

Summary: This bill authorizes the Commissioner to extend the appointment of a board of managers to a school district for up to two additional years under certain circumstances.

Change from current law: Under current TEC §39.112 (“Board of Managers”), the board of managers appointed to a school district must, at the direction of the Commissioner, order an election of the district board of trustees no later than two years after the date when the board of managers was appointed. HB 3106 amends that section to allow the Commissioner, after receiving local feedback, to extend the authority of the board of managers for up to two additional years upon a finding that insufficient progress has been made toward improving the academic or financial performance of the district.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: No specific action required; however, the Commissioner could elect to exercise the authority granted to him under HB 3106 provided the criteria set forth in the bill have been met.

Outstanding Issues: None

For further information, please contact:
School Governance
(512) 463-9623

Rulemaking Authority: 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

HB 7

Amends Sections 41.002(a), 41.093(b-1), and 42.101, 42.2516, 42.252, and 42.302, Education Code. Adds new Section 42.262, Education Code

Summary: This bill is related to funding under the school finance system for school districts with compressed tax rates below the state maximum compressed tax rate. It addresses an issue that is sometimes referred to as “fractional funding.”

The bill made conforming amendments to Sections 41.002(a) and 41.093(b-1), Education Code, to reflect the revised treatment of tax effort authorized by the bill.

The bill amended Section 42.101, Education Code, by adding Subsections (a-1), (a-2), and (c).

New Subsection 42.101 (a-1) allows districts that were not taxing at the maximum permitted tax rate in 2005 to have any tax increases since that time, in excess of the first six cents of tax effort, to be credited to the districts compressed tax rate until the district’s compressed tax rate would be equal to the maximum compressed tax rate.

New Subsection 42.001(a-2) allows districts to choose whether to have their pennies tax effort as defined in Subsection 42.101 (a-1) to be shifted for the 2015–2016 and 2016–2017 school years. This subsection expires September 1, 2018.

New Subsection (c) describes the treatment of a district’s tax effort if the maintenance and operations (M&O) tax rate is reduced.

Amendments to Section 42.2516 (c-1), Education Code, ensure that the revised treatment of tax effort would not increase the revenue per student in weighted average daily attendance (WADA) that is provided under this section, known as Additional State Aid for Tax Reduction (ASATR).

Conforming amendments were made to Section 42.252, Education Code, related to the treatment of tax rates.

New Section 42.262, Education Code, creates the Tax Rate Conversion Fund, to pay for the additional state aid generated by the revised treatment of tax effort.

Conforming amendments to Section 42.302(2), Education Code, related to the tax effort that is recognized for the purposes of enrichment funding in Tier II.

Change from current law: The bill would change the treatment of tax effort for certain districts. This change is optional for the 2015–2016 and 2016–2017 school years. Beginning with 2017–2018, all eligible districts will be subject to the new provisions.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: Eligible school districts will need to notify the TEA if they want to take advantage of the option for alternative treatment of their tax effort.

Outstanding Issues: None

For further information, please contact:
State Funding Division
Amanda Brownson (512) 463-0986
or Amy Copeland (512) 463-8732

Rulemaking Authority: No

Does this expressly apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? No, but the agency will need to collect information from districts in order to implement.

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

HB 2812

Amends Section 42.005, adds Section 42.0052 and repeals Section 13.008(f), Education Code.

Summary: This bill is related to the limit on junior college courses that a high school student may enroll in for dual credit.

The bill amended Section 42.005 by adding Subsection (h), which permits the time a student spends in an approved off-campus program to be counted towards the minimum hours of instruction to be considered a full-time student.

The created new Section 42.0052 to authorize the commissioner to develop criteria to approve off-campus programs in which student participation could count toward instructional time for the purposes of computing average daily attendance.

The bill repealed Section 130.008(f), Education Code, which limited a student's enrollment to not more than three dual credit courses.

Change from current law: Student participation in approved off-campus programs will count toward instructional time for the purposes of computing average daily attendance. There is no longer a limit on the number of dual credit courses students may be enrolled in.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: School districts may no longer limit the number of dual credit courses students may enroll in.

Outstanding Issues: The agency will need to develop criteria for approving off-campus programs and develop attendance taking procedures for student participation in those programs.

For further information, please contact:
State Funding Division
Yolanda Walker
(512) 463-0947

Rulemaking Authority: The commissioner will need to adopt rules for the criteria for off-campus programs and the SBOE will need to modify student attendance accounting requirements

Does this expressly apply to charters? No, but the provisions of Chapter 42 generally 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

HB 2593

Adds Subsection 42.105(b), Education Code

Summary: This bill is related to the sparsity adjustment for certain school districts under the Foundation School Program (FSP).

Section 1 would amend Section 42.105. Education Code, by adding new Subsections (b) and (c).

New Subsection (b) provides that new Subsection (c) applies only to a district that:

- does not offer each grade level from kindergarten through grade 12 and whose prospective or former students generally attend school in a state that borders this state for the grade levels the district does not offer;
- serves both students residing in this state and another state that borders this state and would subsequently be eligible for in-state tuition rates at institutions of higher education (IHEs) in either state regardless of the state of residence; and
- shares students with an out-of-state district that does not offer competing instructional services.

New Subsection (c) provides that a school district to which this subsection applies according to Subsection (b) and serves fewer than 130 students in ADA will be provided an adjusted basic allotment on the basis of 130 students in ADA if it offers a kindergarten through grade 4 program and has a preceding or current year ADA of at least 75 students or is 30 miles or more by bus route from the nearest high school district.

Change from current law: The new provisions will allow Texhoma ISD to continue to receive the sparsity adjustment and be funded on the basis of 130, even if their student population falls below 90 ADA.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: Foundation School Program funding formula computations will need to be modified to incorporate this new exception into the computation of funding for Texhoma ISD.

Outstanding Issues: None

For further information, please contact:
State Funding Division
Amanda Brownson (512) 463-0986 or
Al McKenzie (512) 463-9186.

Rulemaking Authority: 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

HB 731

Adds Section 42.2527, Education Code

Summary: As a pilot program, the commissioner must provide prekindergarten funding to all school districts in Cameron County. The commissioner must provide funding for a school district's prekindergarten program on a half-day basis for a number of low-income prekindergarten students equal to twice the number of students who received, as a result of participation in an early high school graduation program operated by the district, a high school diploma from the district during the preceding school year after three years of secondary school attendance.

Change from current law: This bill expands the number of districts that are receiving funding for prekindergarten based on their early high school graduates. Previously, only Dallas ISD was eligible to participate. This bill expands eligibility to all districts in Cameron County.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: An eligible school district will need to provide information to TEA regarding student graduation from an early high school graduation program operated by the district.

Outstanding Issues: Due to the effective date of the bill, it appears that the 2014-15 early high school graduates will not generate funding for the 2015-16 school year.

For further information, please contact:
State Funding Division
Lisa Dawn-Fisher (512) 463-9179 or
Amanda Brownson (512) 463-0986

Rulemaking Authority: The commissioner may adopt rules necessary to implement this bill.

Does this expressly apply to charters? No

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

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

HB 2251

Adds Section 42.2591, Education Code

Summary: This bill establishes an accelerated Foundation School Program (FSP) payment schedule for certain fast growth open-enrollment charter schools.

This bill requires the commissioner of education to annually compare charter schools current year enrollment to the prior year

enrollment by May 1. Eligible charter schools that have experience a 10% or greater growth in enrollment can request FSP payments be paid according to an accelerated payment schedule.

The commissioner is required to determine the continued eligibility of charter schools to receive FSP payments in accordance with the alternative payment schedule. A charter school that no longer qualifies to receive FSP payments under an alternative schedule will continue to receive payments under the alternative payment schedule for one additional school year.

The alternative payment schedule for high growth charter schools is as follows:

- 22 percent of the yearly entitlement on or before the 25th day of September
- 18 percent of the yearly entitlement on or before the 25th day of October
- 9.5 percent of the yearly entitlement on or before the 25th day of November
- Four percent of the yearly entitlement on or before the 25th day of December
- Four percent of the yearly entitlement on or before the 25th day of January
- Four percent of the yearly entitlement on or before the 25th day of February
- Four percent of the yearly entitlement on or before the 25th day of March
- 7.5 percent of the yearly entitlement on or before the 25th day of April
- Five percent of the yearly entitlement on or before the 25th day of May
- Seven percent of the yearly entitlement on or before the 25th day of June
- Seven percent of the yearly entitlement on or before the 25th day of July
- Eight percent of the yearly entitlement on or before the 25th day of August

The agency is allow to modify payments under the alternative payment schedule to provide charter schools with the proper amount under the law and to correct errors in the allocation or distribution of funds.

Previously unpaid funds from the prior fiscal year owed to a charter school will be included with the September payment of the current fiscal year.

The alternative payment schedule applies to payments made on or after September 1, 2015. Charter school eligibility for the alternative payment schedule for the 2015–2016 school year is based on the charter school’s enrollment between the 2013–2014 and 2014–2015 school years.

Change from current law: Eligible charter schools that choose the accelerated option will receive payments in accordance with this schedule for a minimum of three years and may reestablish eligibility every three years.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: Eligible charter schools must submit a letter from the superintendent to the FSP charter school administrator at nora.rainey@tea.texas.gov. Requests for the 2015–2016 school year must be received by September 1, 2015.

Outstanding Issues: None

For further information, please contact:
State Funding Division
Nora Rainey
(512) 463-7298

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

SB 810

Amends Sections 11.168(a) and 45.109, Education Code.

Summary: This bill is related to the authority of an independent school district to contract with a municipality for the design, improvement, or construction of an instructional facility, stadium, or other athletic facility.

The bill made a conforming amendment to Section 11.168(a), Education Code.

The bill amended Section 45.109, Education Code, by adding Subsections (a-3) and (e).

New Subsection (a-3) allows a district to contribute resources to pay a portion of the costs of the design, improvement, or construction of instructional facility, stadium, or athletic facilities owned by, on the property of, or under the control of the municipality for a district and municipality located at least in part in the boundaries of the county in which the district was located. The district can only contribute resources only if there is a written

agreement with the municipality authorizing the district to use the facility.

New Subsection (e) provides that an agreement made before the construction of an instructional facility, stadium, or other athletic facility; as provided by Subsections (a-1), (a-2), or (a-3); will not violate prohibited electioneering.

Change from current law: School districts may contribute funds to the design, construction, or renovation of municipal instructional facilities, stadiums, or athletic facilities as long as there is a written agreement for the use of the facility with the municipality.

Effective Date: May 28, 2015

Action required for 2015-16 School Year: A district that wants to contribute to the design, improvement, or construction of an instructional facility, stadium, or other athletic facility owned, on the property of, or under the control of a municipality must enter into a written agreement authorizing district use of the facility before construction begins.

Outstanding Issues: None

For further information, please contact:
State Funding Division
Amanda Brownson (512) 463-0986 or
Lisa Dawn-Fisher (512) 463-9179

Rulemaking Authority: 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

Rider 69

Summary: Rider 69 requires the agency to maintain a list of schools operating on a year-round system under TEC §25.084 and conduct an evaluation on the performance and operations of year-round schools. The evaluation shall enumerate the number of schools operating under the year-round system; compare performance of students attending year-round schools to students in schools operating on a traditional school year calendar; and contain information on how academic calendars of year-round schools are structured. The agency shall provide a list of schools operating on a year-round system by January 1, 2016, and January 1, 2017. The evaluation report is due by January 1, 2017.

Change from current law: Maintaining lists of schools operating on a year-round calendar and the evaluation study were not required previously.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: Pending funding, the agency will select a vendor to conduct the study in 2015-16.

Outstanding Issues: The preparation of this report is dependent on funding in 2015-16. No specific funds were appropriated for this purpose.

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

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

SB 1776

Amends Subsection 51.3062(q-2),
Education Code

Summary: An exemption that a student receives from the Texas Success Initiative (TSI) assessment requirement because of successful completion of a college preparatory course under TEC, §28.014, is effective for the two-year period following the date the student graduates from high school. The student must enroll in his or her first college-level course in the exempted content area in the first year of enrollment in an institution of higher education (IHE). If a student earns less than a C in the first college-level course in the exempted content area, the IHE must advise the student of non-course-based options for becoming college ready.

This bill requires the Texas Higher Education Coordinating Board (THECB) to collect and analyze data regarding the effectiveness of college preparatory courses as measured by students' successful completion of the first college-level course in the exempted content area. The THECB must report its findings to all partnering IHEs and school districts whose college preparatory courses are evaluated, the governor, lieutenant governor, speaker of the house of representatives, and members of the House and Senate Committees on Higher Education

Change from current law: Under current law, an IHE must assess the academic skills of each entering undergraduate student to determine the student's readiness to enroll in freshman-level academic coursework. The TSI assessment is used for this purpose. A student who successfully completes a college preparatory course under TEC, §28.014 is exempt from the TSI assessment requirement with respect to the content area of the course. This bill provides additional clarification related to the exemption.

Under current law the commissioner of higher education has rulemaking authority to establish the period for which an exemption is valid. This bill repeals that authority.

Effective Date: June 16, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: The change made by this bill applies beginning with the assessment of entering undergraduate students at public IHEs for the 2015 fall semester. A student who entered college for an academic term before the fall of 2015 is covered by the law in effect before the effective date of this legislation.

For further information, please contact:
Office of Standards and Programs
(512) 463-9087

Rulemaking Authority: No

Does this expressly apply to charters? The bill applies to students who attend charter schools.

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

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

HB 3748

Adds Section 51.9356, 61.0908 and 61.0909; amends Subsection 25.007(b), Education Code

Summary: TEA is required to designate at least one employee to act as a liaison officer regarding educational issues of students in foster care.

Each institution of higher education (IHE) must designate at least one employee to act as a liaison officer for current and incoming students at the IHE who were formerly in the conservatorship of the Department of Family and Protective Services (DFPS). The liaison officer must provide students with information regarding support services and other resources available to the students at the IHE and any other relevant information to assist the students.

The Texas Higher Education Coordinating Board (THECB) must also designate at least one employee to act as a liaison officer for current and incoming students at IHEs who were formerly in the conservatorship of DFPS. The liaison officer must assist in coordinating college readiness success efforts relating to those students.

Lastly, the bill requires a Memorandum of Understanding between DFPS and THECB regarding the exchange of information as appropriate to facilitate DFPS evaluation of educational outcomes of students at IHEs who were formerly in foster care.

Change from current law: Current law includes provisions for transition assistance for students in substitute care. This law adds the requirement that TEA designate a liaison officer to coordinate transition assistance and educational issues related to students in substitute care. The bill also adds requirements related to higher education support of students who were formerly in substitute care.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: 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

HB 1992

Adds a new Subsection 51.968(c-a) and Section 61.0518, Education Code

Summary: In establishing the minimum required score on an AP exam for granting course credit for a particular lower-division course, an institution of higher education (IHE) may not require a score of more than three unless the institution's chief academic officer determines, based on evidence, that a higher score on the exam is necessary to indicate a student is sufficiently prepared to be successful in a related, more advanced course for which the lower-division course is a prerequisite.

The THECB, in consultation with IHEs, the board's Undergraduate Education Advisory Committee, and other interested parties, is required to conduct a study on the performance of undergraduate students at IHEs who receive undergraduate course credit for achieving the required score on one or more AP exams.

Not later than January 1, 2017, the THECB must submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over higher education a progress report that examines the academic performance at IHEs of students who received undergraduate course credit for a score of three on one or more AP exams and any recommendations for legislative or administrative action.

Not later than January 1, 2019, the THECB must submit to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over higher education a report regarding the results of the study and any recommendations for legislative or administrative action.

Change from current law: Under current law, each IHE that offers freshman-level courses is required to establish a policy to grant undergraduate course credit to entering freshman students who have achieved required scores on one or more college-level examinations, including AP exams. Each institution must establish in the required policy the minimum scores on AP exams for which it will award college credit. This bill places limits on the score an IHE may require on an AP exam.

Effective Date: June 3, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: Applies beginning with entering freshman students at IHEs beginning with the 2016 fall semester.

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

Rulemaking Authority: No

Does this expressly apply to charters? The bill applies to students who attend charter schools.

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

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

HB 2851

Amends Section 53.351(b) and adds Section 53.352, Education Code

Summary: H.B. 2851 provides that a director, officer, or employee of the Charter School Finance Corporation shall not be held personally liable for damages, losses or injuries, or any commitment or agreement executed for the purpose of supporting revenue bonds issued by the corporation.

Change from current law: Section 1 of the bill would amend Section 53.351, Education Code, by amending Subsection (b). Subsection (b) would be amended to provide governor approval of appointments of directors of the Charter School Finance Corporation.

Section 2 of the bill would add Section 53.352. Section 53.352 would provide immunity from personal liability for a director, officer, or employee of the Texas Public Finance Authority (TPFA)

or its nonprofit corporation, the Charter School Finance Corporation, for damage, loss, or injury resulting from performance of their duties under this chapter or on any commitment or agreement executed on behalf of the nonprofit corporation under this chapter.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: No new action is required of school districts or charter schools.

Outstanding Issues: None

For further information, please

contact: State Funding

(512) 463-9238

or Charter School Administration

(512) 463-9575

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

HB 1807

Adds Section 61.0663 and amends Subsection 29.02112(b), Education Code

Summary: The Texas Higher Education Coordinating Board (THECB) must maintain an inventory of all postsecondary educational programs and services provided for persons with intellectual and developmental disabilities by institutions of higher education (IHEs). The THECB must post the inventory of the programs on its website and submit the inventory to TEA for inclusion in the transition and employment guide. The THECB must update the inventory at least once every two years and each IHE must report to THECB all programs and services provided by the institution.

Change from current law: Current law requires TEA to develop and make available a transition and employment guide to students who are enrolled in special education programs to provide information on statewide services and programs that assist in the transition to life outside the public school system. This law adds requirements for providing information regarding postsecondary educational programs and services.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools

Outstanding Issues: None

For further information, please contact:

Federal and State Education Policy

(512) 463-9414

Rulemaking Authority: 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, TEA must include the inventory in the online transition and employment guide.

HB 2628

Adds Sections 61.823(e) and 61.8235, Education Code

Summary: The Texas Higher Education Coordinating Board (THECB), with the assistance of an appropriate advisory committee, must develop CTE programs of study curricula and periodically review each field of study curriculum to ensure alignment with student interest and academic and industry needs.

The THECB, with the assistance of institutions of higher education, career and technical education (CTE) experts, and college and career readiness experts, must establish alignment between the College and Career Readiness Standards (CCRS) and the knowledge, skills, and abilities students are expected to demonstrate in CTE. To meet this objective, the THECB must establish programs of study that

- incorporate rigorous college and career readiness standards, including CTE standards that address both academic and technical content;
- support attainment of employability and career readiness skills;
- progress in content specificity by beginning with all aspects of an industry or career cluster and leading to more occupationally specific instruction or by preparing students for ongoing postsecondary career preparation;
- incorporate multiple entry and exit points with portable demonstrations of technical or career competency, which may include credit transfer agreements or industry-recognized certifications; and
- culminate in the attainment of an industry-recognized certification, license, or credential; a registered apprenticeship or credit-bearing postsecondary certificate; or an associate or baccalaureate degree.

The THECB must develop career and technical education program of study curricula with the assistance of advisory committees composed of at least one representative from the following groups: secondary education, postsecondary education, business and industry, other state agencies or licensing bodies, and other career and technical education experts. The advisory committees must identify the knowledge, skills, and abilities required to

prepare students for high-skill, high-wage jobs in high-demand occupations.

In developing program of study curricula, the THECB must pursue a management strategy that maximizes efficiency, including the decentralization of advisory committees to enable concurrent development of curricula for different programs of study. The THECB is permitted to partner with the TEA, TWC, and other state agencies to develop programs of study.

A program of study developed under this legislation must

- focus on the current and future needs of Texas employers;
- clearly define career pathways with logical entry and exit points for students;
- indicate the types of careers and the names of certifications or licenses aligned to the program of study;
- provide for students who begin a program of study at a public junior college, public state college, or public technical institute to transfer to another public junior college, public state college, or public technical institute without having to repeat classes or incur significant interruption of their ability to progress through the program of study;
- be designed to meet the needs of business and industry with a high degree of commonality across the state;
- align with the CCRS; and
- be revised on a reoccurring schedule, not to exceed once every five years, to ensure the programs of study remain current and relevant to the needs of business and industry.

A student enrolled in a THECB-established program of study who transfers from a public junior college, public state college, or public technical institute to another public junior college, public state college, or public technical institute that offers a similar program, regardless of whether the institution has adopted the program of study, must receive academic credit from the institution to which the student transferred for each of the courses that the student has successfully completed in the program of study. Unless otherwise required by the Commission on Colleges of the Southern Association of Colleges and Schools (SACSCOS), the student may complete the program of study at the institution to which the student transferred by completing only the remaining number of semester credit hours the student would need to complete the program of study at the institution from which the student transferred.

Change from current law: There are currently no requirements regarding career and technical education programs of study in law. This legislation adds programs of study as a new requirement for higher education.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

For further information, please contact:

Curriculum Division

(512) 463-9581

curriculum@tea.texas.gov

Rulemaking Authority: The commissioner may adopt rules necessary to administer 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

HB 771

Amends Section 96.707(k), Education Code

Summary: This bill is related to funding for the Texas Academy of Leadership in the Humanities (TALH).

This bill amended Section 96.707(k), Education Code. The TALH will no longer have a local share, based on the local share of the Beaumont Independent School District (ISD), applied to their Foundation School Fund entitlement. As a result, their state aid will be increased.

Change from current law: The TALH will experience an increase in state funding of approximately \$300,000 annually.

Effective Date: September 1, 2015.

This act applies beginning with the 2015-16 school year.

Action required for 2015-16 School Year: TEA must revise its funding calculation for the TALH.

Outstanding Issues: None

For further information, please contact:

State Funding Division

Amanda Brownson (512) 463-0986 or

Al McKenzie (512) 463-9186

Rulemaking Authority: 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

HB 3062

Amends Subsections 134.002(a); 134.003; 134.004; 134.006(a), (c), and

Summary: This legislation transfers from the State Comptroller's Office to the Texas Workforce Commission the authority to administer the Jobs and Education for Texans (JET) grants which

(d); and 134.008. Adds Sections 134.001(1) and 134.007, Education Code

serve to offset start-up costs associated with the development of new career and technical education programs.

The advisory board for the JET fund is changed from seven members to six members.

The TWC is permitted to award a JET grant to an independent school district if the district partners with a public junior college or public technical institute for the purpose of promoting career and technical education or for offering dual credit courses to the district's students.

Change from current law: Under current law, only public junior colleges or public technical institutes are eligible for the grants. School districts may be awarded JET grants beginning with the 2016-2017 school year.

Effective Date: June 10, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: 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

SB 1204

Amends Section 134.014; Adds Subsections, 134.014(b), Agriculture Code and Adds Subsection 66.007(c-7), Parks and Wildlife Code

Summary: The Department of Agriculture is required to adopt rules to waive the initial and renewal aquaculture license fees if a public school requests a license or renewal to establish and maintain an educational program that gives students experience with a sustainable system of agriculture that mixes aquaculture and hydroponics.

The Parks and Wildlife Commission is required to adopt rules to waive the initial and renewal fees for an exotic species permit if a public school requests a license or renewal to establish and maintain an educational program that gives students experience with a sustainable system of agriculture that mixes aquaculture and hydroponics.

To qualify for the fee waivers, a school must submit an application to either the Department of Agriculture or the Department of

Parks and Wildlife demonstrating that the school's program meets the department's requirements, including requirements for supervision, handling of fish species or exotic species, and control of wastes.

Change from current law: Public schools would be exempt from initial and renewal license fees they are currently required to pay for certain educational programs involving aquaculture and hydroponics.

Effective Date: May 29, 2015

Action required for 2015-16 School Year: No action is required unless the public school is submitting an application to the Department of Agriculture or the Parks and Wildlife Department.

Outstanding Issues: None

For further information, please contact:
Department of Agriculture
(800) 835-5832
Customer.Relations@TexasAgriculture.gov
[ov](#)

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

Parks and Wildlife Department
(512) 389-4999;
education@tpwd.texas.gov

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

SB 733

Amends Section 41.0052(a), Election Code

Summary: This bill authorizes the governing body of most political subdivisions, including school districts that hold general elections for officers on a date other than the November uniform election date to change to the November uniform election date. This authority expires December 31, 2016.

Change from current law: Under current law, school districts that are not using the November election date for regular trustee elections do not have authority to change to the November election date.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: None

Outstanding Issues: None

For further information, please contact:
Elections Division
Secretary of State
(512) 463-5650

Rulemaking Authority: 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

HB 2293

Amends Section 403.32(j), Government Code

Summary: This bill is related to the certification by the comptroller to the commissioner of education of the taxable value of property in each school district.

Section 1 of the bill amended Section 403.302(j), Government Code, to require the comptroller to certify the final taxable value for each school district, related to school funding, to the commissioner of education as provided in a memorandum of understanding (MOU) entered into between the comptroller, the Legislative Budget Board (LBB), and the commissioner of education and repealed provisions that specified the specific elements to be included in the comptroller's report to the commissioner.

Section 2 of the bill repealed Section 403.302(k), Government Code, requiring the comptroller to certify school district taxable values reflecting reductions due to optional homestead exemptions.

Section 3 of the bill made these changes in reporting apply to certified taxable values for school districts on or after the effective date of the bill.

Change from current law: Changes the requirements for the comptroller to report property values and various deductions to property values to the commissioner for the purposes of state funding computations.

Effective Date: January 1, 2016

Action required for 2015-16 School Year: None. The changes in reporting will not affect reporting requirements until the 2016-17 school year.

Outstanding Issues: None

For further information, please contact:
State Funding Division
Amanda Brownson (512) 463-0986 or
Al McKenzie (512) 463-9186.

Rulemaking Authority: 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

HB 3357

Amends Sections 551.053 and 551.054, Government Code (Open Meetings Act)

Summary: This legislation provides that certain districts or political subdivisions may post notice of a meeting on the district's or political subdivision's website.

Change from current law: Section 551.053 of the Government Code provides that the governing body of a water district or other district or political subdivision that extends into four or more counties must (1) post notice of each meeting at a place convenient to the public in the administrative office of the district or subdivision, (2) provide notice of each meeting to the secretary of state, and (3) provide notice of each meeting to the county clerk of the county in which the administrative office is located. Additionally, the county clerk is required to post the notice on a bulletin board at a place convenient to the public in the county courthouse. HB 3357 amends subsection (3) to permit the governing body to *either* provide notice of each meeting to the county clerk or post notice of each meeting on the district's or political subdivision's website. The county clerk is only required to post a notice provided to the county clerk.

Section 551.054 provides that the governing body of a water district or other district or political subdivision that extends into fewer than four counties must (1) post notice of each meeting at a place convenient to the public in the administrative office of the district or subdivision, and (2) provide notice of each meeting to the county clerk of the county in which the administrative office is located. Additionally, the county clerk is required to post the notice on a bulletin board at a place convenient to the public in the county courthouse. HB 3357 amends subsection (2) to permit the governing body to *either* provide notice of each meeting to the county clerk or post notice of each meeting on the district's or political subdivision's website. The county clerk is only required to post a notice provided to the county clerk.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: In addition to other open meeting notice requirements, a school district must either provide notice of each meeting to the county clerk or post notice of each meeting on its website.

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Pursuant to section 12.1051(b) of the Education Code, HB 3357 applies to charter schools.

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

Does this bill require the agency or ISD to post information to their website? A governing body of a school district must either provide notice of each meeting to the county clerk or post notice of each meeting on its website.

HB 283

Amends Section 551.128, Government Code, (Open Meetings Act)

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 each regularly scheduled open meeting and make an archived copy of that recording available on the Internet.

Change from current law: Under section 551.021 of the Government Code, a governmental body must prepare and keep minutes or make a recording of each open meeting of the body. The minutes and recordings must be made available for public inspection and copying under section 551.022. However, current law does not require a video and audio recording to be made and it doesn't require such recordings to be posted on the Internet.

HB 283 requires certain governmental bodies to make a video and audio recording of all regularly scheduled open meetings and an archived copy of the recording of each meeting must be maintained on the Internet. If the governmental body maintains a website, the governmental body must make the archived recording or an accessible link to the archived recording available on that site. The archived recording must be made available on the Internet within seven days after the recording was made and the archived recording must be maintained on the Internet for at least two years after the recording was first made available. A governmental body is not required to make the recording available on the Internet or within the required time frame if, due to catastrophe or technical breakdown, the governmental body failed to make the required recording. However, the governmental body must make all reasonable efforts to make the recording available in a timely manner.

Effective Date: January 1, 2016.

Action required for 2015-16 School Year: Commencing January 1, 2016, 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 regularly scheduled open meeting and make an archived copy of that recording available on the Internet.

Outstanding Issues: None

For further information, please contact: **Rulemaking Authority:** No
Office of Legal Services
(512) 463-9720

Does this expressly apply to charters? Pursuant to section 12.1051(b) of the Education Code, HB 283 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 regularly scheduled open meeting available on its website.

HB 4046

Amends Section 552.114, Government Code. (Public Information Act)

Summary: HB 4046 defines student record as information that constitutes education records as defined by the federal Family Educational Rights and Privacy Act (FERPA) or information in a record of an applicant for admission, including transfer applicants, to an educational institution. Additionally, HB 4046 provides information in a student record is confidential and not subject to the requirements of the Public Information Act. However, this subsection does not prohibit the disclosure of information in education records as authorized by FERPA and, upon request of an applicant or a parent or legal guardian of a minor applicant, an educational institution must disclose any information related to the application for admission and provided by the applicant to the educational institution.

Change from current law: Subsection 552.114(a) of the Government Code provides that information in a student record at an educational institution funded wholly or partly by state revenue is excepted from public disclosure. Subsection 552.114(b) provides that a record under subsection (a) must be made available on the request of (1) educational institution personnel, (2) the student involved or the student's parent, legal guardian, or spouse, or (3) a person conducting a child abuse investigation under chapter 261 of the Family Code.

HB 4046 adds a new subsection (a) defining student record as information that constitutes education records as defined by FERPA or information in a record of an applicant for admission, including transfer applicants, to an educational institution.

Subsection (b), former subsection (a), is amended to provide that information in a student record is confidential and excepted from the requirements of the Public Information Act. However, this subsection does not prohibit the disclosure of information in education records as authorized by FERPA. Former subsection (b) becomes subsection (c). Subsection (d) is added to provide that an educational institution may redact information covered by subsection (b) from information disclosed under the Public Information Act without requesting a decision from the attorney general. Finally, subsection (e) is added to provide that, upon request of an applicant or a parent or legal guardian of a minor applicant, an educational institution must disclose any information related to the application for admission and provided by the applicant to the educational institution.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: None

Outstanding Issues: None

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

Rulemaking Authority: No

Does this expressly apply to charters? Pursuant to section 12.1051(b) of the Education Code, HB 4046 applies to charter schools.

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

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

HB 114

Adds Section 1201.0245, Government Code

Summary: This bill is related to the issuance of certain capital appreciation bonds (CABs) by political subdivisions.

Section 1 of the bill amended Subchapter B, Chapter 1201, Government Code, by adding Section 1201.0245 related to CABs by political subdivisions.

Subsection (a) provides a definition of a CAB.

Subsection (b) requires limits on CABs for political subdivisions including school districts. A CAB may not be issued unless: it had a maturity date of not more than 20 years after the date of issuance; the governing body had received a written estimate of all costs associated with issuance; the governing body had determined whether there was any personal or financial relationship between the members of the governing body and anyone associated with the bond issuance. The governing body is

also required to post on their website and include in their minutes: the amount of the bonds to be voted on; maturity length; projects to be financed; the intended use of bond proceeds not spent on the project; total outstanding bonded indebtedness at the time of the election, including principal and interest amounts on existing indebtedness; the total amount of outstanding bonded indebtedness, including principal and interest amounts to be paid until maturity, and associations between the governing body and anyone associated with the bond issuance, if applicable.

Subsection (c) requires the governing body of a political subdivision that makes a determination that a personal or financial relationship exists between the governing board and bond professionals to submit the determination to the Texas Ethics Commission (TEC).

Subsection (d) requires the governing body of a political subdivision to regularly update the debt information on their website to ensure the information is current and accurate.

Subsection (e) prohibits the use of CAB proceeds to purchase items considered maintenance items and transportation-related items, including buses, unless the expected useful life of the item exceeds the bond's maturity date. Maintenance items would include HVAC units, upgraded plumbing, and similar items.

Subsection (f) limits the use of unspent CAB proceeds to those items identified on the political subdivision's website at the time of the bond election, unless another use was approved by the voters at an election held for that purpose.

Subsection (g) limits CABs to 25 percent of the total outstanding bonded indebtedness at the time of issuance, including principal and interest to be paid until maturity.

Subsection (h) prohibits the extension of the maturity date of a CAB, including issuance of refunding bonds that would extend the maturity date with the exception of Subsection (i).

Subsection (i) allows a political subdivision to extend the maturity date of a CAB if the extension would decrease the total amount of projected principal and interest to maturity; or, the maximum allowable tax rate for indebtedness of a school district had been adopted, and the Texas Education Agency (TEA) certified that the solvency of the permanent school fund's (PSF) bond guarantee program (BGP) would be in jeopardy without an extension.

Subsection (j) exempts the limits on CABs from apply to refunding bonds or CABs issued to finance transportation projects.

Section 2 of the bill exempts the provisions of the bill from applying to CABs issued before the effective date of this Act.

Change from current law: The bill limits the issuance of CABs by school districts.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: Districts that issue bonds must comply with the new restrictions on issuance of CABs, including the notice requirements to taxpayers regarding current and proposed indebtedness, projects to be financed, and the use of unspent proceeds.

Outstanding Issues: None

For further information, please contact:
State Funding Division
Amanda Brownson (512) 463-0986 or
Lisa Dawn-Fisher (512) 463-9179

Rulemaking Authority: No

Does this expressly apply to charters? No, charters are not eligible to issue CABS.

Does this bill contain a new reporting requirement for TEA/school districts? Yes, but only for districts that issue CABS after September 1, 2015

Does this bill require the agency or ISD to post information to their website? Districts that issue CABs on or after September 1, 2015, will be required to post reports about the CAB and their overall indebtedness

SB 1580

Adds new Chapter 2306, Subchapter OO, Government Code

Summary: The bill requires Texas Department of Housing and Community Affairs (TDHCA) in conjunction with members of the Texas Interagency Council for the Homeless to conduct a study on homeless veterans and submit a report on the study to the legislature not later than December 1, 2016.

Change from current law: The Texas Interagency Council for the Homeless is currently authorized in the Texas Government Code to serve as an advisory committee to TDHCA. This bill adds a new requirement that the council conduct a study on homeless veterans.

Effective Date: June 18, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: 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

HB 679

Adds Chapter 2306, Subchapter OO, Government Code

Summary: This bill provides a definition of “homeless youth” in the Texas Government Code that is aligned with the *Elementary and Secondary Education Act* and the *McKinney-Vento Homeless Education Assistance Improvements Act* (U.S.C Section 3699). “Homeless youth” is defined as a person who is younger than 19 years of age, including a migratory child who

- lacks a fixed, regular, and adequate nighttime residence, including a person who is: living in an emergency shelter; abandoned in a hospital; or awaiting foster care placement,
- has a primary nighttime residence that is a public or private place not designed or ordinarily used as a regular sleeping accommodation for humans; or
- is living in a car, park, other public space, abandoned building, substandard housing, bus or train station, or similar setting.

The bill also requires Texas Department of Housing and Community Affairs (TDHCA), in conjunction with members of the Texas Interagency Council for the Homeless, to conduct a study on homeless youth and submit a report on the study to the legislature not later than December 1, 2016.

Texas Government Code §2306.1102, related to the study, expires on September 1, 2017.

Change from current law: This bill defines “homeless youth” and requires a study.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: No action required of school districts and charter schools.

Outstanding Issues: None

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

Rulemaking Authority: None

Does this expressly apply to charters? No

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

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

SB 133

Amends Sections 1001.202(b), 1001.203(a) and (c), 1001.204(a), and 1001.205 and adds Sections 1001.201(4) and (5), 1001.2015, 100.2031 Repeals 1001.202(c) and 1001.203(b), Health and Safety Code

Summary: This legislation makes changes to the persons eligible to receive mental health first aid training and related grants through the Department of State Health Services (DSHS). It requires a local mental health authority to seek a grant to provide the training. It limits grants to the lesser of 3% of the total amount appropriated or \$70,000. It allows for unallocated funds appropriated for training to be awarded through supplemental grants. It adjusts the grant application and reporting timelines.

Change from current law: Under current law (HSC 1001.201), eligibility for mental health first aid training is limited to educators. This bill would expand eligibility to school district employees and school resource officers. Under current law (HSC 1001.202 and 1001.203), DSHS is limited to granting \$30,000 for training trainers and \$40,000 for training educators. This bill would remove these specific limits and replace them with a limit that is the lesser of 3% of the total amount appropriated or \$70,000. Under current law (HSC 1001.204), local mental health authorities must apply for grants by October 1. This bill would change the deadline to July 1. Under current law (HSC 1001.205), local mental health authorities must report certain data by July 1 and DSHS must report certain data by August 1. This bill would change the reporting deadline for local mental health authorities to September 30 and the reporting deadline for DSHS to December 1.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: None

Outstanding Issues: None

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

Rulemaking Authority: 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

SB 208

Adds new Subtitle C to Section 25. Title 4, Labor Code.

Summary: The Texas Workforce Commission (TWC) and TEA must enter into a memorandum of understanding to improve coordination and to collaborate to develop a mechanism to identify areas of the state with the greatest needs for transition services for students with disabilities. The mechanism must account for the TWC's limited resources and a school district's needs, including the school district's resources for special

education; the number of students with disabilities in the school district; and other factors that the TWC and TEA consider important.

Change from current law: Current law does not require this activity.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: No action required of school district or charter schools.

Outstanding Issues: TWC and TEA must enter into the MOU and develop the mechanism on or after September 1, 2016, but not later than September 1, 2017 and must update the mechanism on a periodic basis.

For further information, please contact:
Federal and State Education Policy
(512) 463-9414
sped@tea.texas.gov

Rulemaking Authority: 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

HB 1378

Adds Section 14.008, Local Government Code

Summary: This bill is related to annual financial reporting of debt information. Section 1 of the bill would amend Chapter 140, Local Government Code, by adding Section 140.008, "Annual Financial Report; Debt Information."

Subsection (a) provides definitions for debt obligation and political subdivision. Political subdivisions would include school districts.

Subsection (b) requires political subdivisions to prepare an annual report that includes debt information as of the last day of the preceding fiscal year including the amount of all authorized debt obligations; the principal and interest of all outstanding debt obligations; the combined principal and interest required to pay all debt on time and in full; and the required principal and interest to pay each debt on time and in full. The report is limited to debt obligations that are secured by ad valorem taxation and must be expressed as a total and per capita amount. For each debt obligation, the report must include the issued and unissued amount, the spent and unspent amount, the maturity date, and the stated purpose of the debt for each debt obligation. The report must also include the current credit rating given by any nationally recognized credit rating organization, any other relevant information necessary to explain the debt obligations being

reported, the sources of funds for different types of debt, and the projected amount of debt per capita as of the last day of the maximum term of the most recent debt obligation issued by the political subdivision.

Subsection (c) allows political subdivisions to provide a direct link or a clear statement describing the location of separately posted information in the required report instead of replicating the information in Subsection (b) in the annual financial report.

Subsection (d) allows a political subdivision to submit the information required in Subsection (b) to the comptroller instead of preparing an annual financial report. The comptroller is required to post the information on their website in a way that is easily located by searching the internet for the name of the political subdivision. If the political subdivision has a website, the political subdivisions is required to provide a link to the report on the comptroller's website from the political subdivision's website. The comptroller is required to adopt rules necessary to implement this subsection.

Subsection (e) contains provisions that apply only to municipalities and counties.

Subsection (f) requires political subdivisions to make annual financial reports available to any person and be continuously posted on their website or authorized alternative until the next report is posted. Political subdivisions would be required to post contact information for their main office including the physical address, mailing address, main telephone number, and email address.

Subsection (g) contains provisions that apply only to water districts.

Subsection (d) was added to Section 271.047, Local Government Code, to prohibit a governing body from authorizing payment for the same project that failed in a bond election during the preceding three years. There would be exceptions for cases of public calamity; public health; unforeseen damages; or to comply with state or federal law, rule, or regulations if the political subdivision had been notified of noncompliance.

Change from current law: School districts would be required to post reports providing detailed information about their debt obligations.

Effective Date: January 1, 2016

Action required for 2015-16 School Year: School districts will be required to compile and post reports on their debt obligations that meet the criteria set forth in the bill.

Outstanding Issues: None

For further information, please contact:
Office of the Comptroller of Public
Accounts of the State of Texas
512-463-4000

Rulemaking Authority: The comptroller has authority to adopt rules for the implementation of this legislation.

Does this expressly apply to charters? No

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

Does this bill require the agency or ISD to post information to their website? School districts would be required to post reports providing detailed information about their debt obligations.

SB 1307

Amends Sections 55.001-55.006,
Occupations Code

Summary: This bill defines key military terms (i.e., active duty, armed forces of the US, military service member, military spouse, and military veteran). These additions will increase flexibility in issuance of certificates, processing of renewals, and completion of credential reviews for out-of-state applicants.

Change from current law: This bill changes current law by clarifying definitions of military spouses and military veterans in key sections of the Occupations Code, allows for adoption of rules to establish alternative methods for military groups to meet requirements for licensure, grants the executive director of a state agency to review applicant credentials and waive requirements for licensure, and incorporates the use of verified military service to satisfy apprenticeship requirements for licensure. This bill also requires the provisions of this bill to be posted prominently on the home page of the agency's Internet website.

Effective Date: January 1, 2016

Action required for 2015-16 School Year: The SBEC will need to adopt rules, SBOE will need to review the adopted rules, and TEA will need to modify technology systems, websites, and other materials to address the legislative changes and inform stakeholders.

Outstanding Issues: None

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

Rulemaking Authority: The SBEC will adopt rules to accurately reflect the provisions for military service members, military veterans, and military spouses.

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 will have to post the provisions of this bill on its website.

SB 807

Adds Section 55.009, Occupations Code

Summary: This bill requires state agencies that issue a license to waive the license application and examination fees paid to the state for an applicant who is a military service member, military veteran, or military spouse if their military service, training, or training meet the requirements of the license or who hold a license issued by another jurisdiction that is substantially equivalent to the requirements for a Texas license.

Change from current law: Under current law, a person must meet requirements set by SBEC to obtain certification, which includes paying appropriate fees for issuance of licensure. This bill amends current law relating to occupational license application and examination fees for certain military service members, military veterans, and military spouses. SBEC is now required to waive license application and examination fees related to issuance of educator certification.

Effective Date: September 1, 2015

Action required for 2015-16 School Year: The SBEC will need to adopt rules, the SBOE will need to review the adopted rules, and TEA will need to modify technology systems, websites, and other materials to address the legislative changes and inform stakeholders.

Outstanding Issues: None

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

Rulemaking Authority: The SBEC will adopt rules to accurately reflect the fee exemptions for military service members, military veterans, and military spouses

Does this expressly apply to charters? No

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

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

SB 1

Amends Sections 11.13(b), Tax Code.
Amends Section 403.302(j), Government Code. Adds Section 11.13(n-1), 25.23(a-), 26.04(a-1) and (c-1), 26.08(q), 26.09

Summary: This bill is related to certain restrictions on the imposition of ad valorem taxes and to the duty of the state to reimburse certain political subdivisions for certain revenue loss.

(c-1), 26.15(h), 31.01 (d-2), (d-3), (d-4), and (d-5), 31.02(a-1), Tax Code. Adds Sections 41.0011, 41.004(a-1), (b-1), and (c-1), 41.0042, 41.0121, 41.094(a-1), 41.0981, 41.208(a-1), 42.2518 (2 versions), 42.252(e), 42.302(g), 46.003(i), 46.032(d), 46.071. Education Code

The bill amended Section 11.13, Tax Code, by amending Subsection (b) and adding Subsection (n-1).

Amendments to Subsection (b) increase the mandatory residential homestead exemption (RHE) from \$15,000 to \$25,000, except that only \$5,000 of the exemption would apply to county districts, countywide equalization funds or county units of equalization taxation, rural high school districts, rehabilitation districts for disabled persons, or countywide vocational districts as they existed on May 1, 1995.

New Subsection (n-1) prohibits the reduction or repeal of local optional homestead exemptions (LOHEs) that were in effect for the 2014 tax year. This subsection would expire December 31, 2024.

Amendments to Section 11.26(a), Tax Code, make conforming amendments to provisions related to frozen tax levies paid by individuals 65 years of age or older or individuals who are disabled.

The bill amended Section 25.23, Tax Code, by adding Subsection (a-1) to require the chief appraiser to prepare supplemental appraisal records that included the \$25,000 RHE. This provision applies only to the 2015 tax year appraisal records. This subsection expires December 31, 2016.

The bill amended Section 26.04, Tax Code, by adding Subsections (a-1) and (c-1).

New Subsection (a-1) requires the assessor for a school district to determine the total taxable value, the value based on a \$25,000 RHE. This subsection expires December 1, 2016.

New Subsection (c-1) requires an officer or designated employee of the governing body of a school district to calculate the effective tax rate and rollback tax rate for the 2015 tax year based on an RHE of \$25,000. This subsection would expire December 1, 2016.

The bill amended Section 26.08, Tax Code, by adding new Subsection (q), which specifies that the effective maintenance and operations (M&O) tax rate and the rollback tax rate for the 2015 tax year are to be computed on the basis of the \$25,000 RHE.

The bill amended Section 26.15, Tax Code, by adding new Subsection (h), which requires the assessor for a school district to correct the tax roll for the school district for the 2015 tax year to reflect the \$25,000 RHE. This subsection expires December 31, 2016.

The bill amended Section 31.01, Tax Code, by adding Subsections (d-2), (d-3), (d-4), and (d-5).

New Subsections (d-2), (d-3), and (d-4) apply only to school district tax levies for the 2015 tax year. New Subsection (d-2) requires school district assessors to prepare tax bills based on the \$25,000 RHE. The tax bill or a separate statement must indicate that the bill is a provisional tax bill. It must include language that describes the savings that the increase in the RHE provides. The bill or notice must also state the amount of taxes that will be imposed if the constitutional amendment fails to gain voter approval.

New Subsection (d-3) states that the tax bills mailed under the provisions of Subsection (d-3) are considered to be provisional tax bills until the votes on the constitutional amendment authorizing the increase in the RHE have been canvassed. If the amendment is approved by voters, the bill is to be considered the final tax bill for tax year 2015. If the amendment is not approved by voters, the bill that was received under the provisions of (d-2) is considered to be a tax bill only for the portion of taxes that are included in the bill. Assessor will be required to send supplemental bills, no later than December 1 or as soon as practicable thereafter, for the difference in the tax levy based on the \$15,000 RHE.

New Subsection (d-4) provides that all other provisions of Section 31.101 related to tax collections apply to the supplemental tax bill, except as otherwise provided by Subsection (d-3).

New Subsection (d-5) expires the temporary transitional provisions of (d-2), (d-3), (d-4), and (d-5) effective December 31, 2016. The bill amended Section 31.102, Tax Code, by adding Subsection (a-1) to extend the due date of 2015 taxes to March 1 of 2016. The provision expires December 31, 2016.

The bill amended Subchapter A, Chapter 41, Education Code, by adding Section 41.0011 to provide that computation of wealth per student for the 2015–2016 school year is to be determined as if the provisions of this bill had been in effect for the 2014 tax year. This provision expires September 1, 2016.

The bill amended Section 41.004, Education Code, by adding Subsections (a-1), (b-1), and (c-1).

New Subsection (a-1) applies only if the proposed joint resolution was approved by voters. The commissioner of education will be required to review the wealth per student of districts subject to Chapter 41 and send revised notifications as soon as practicable after receiving revised property values.

New Subsection (b-1) applies only to a district that had not previously held an election and would not receive enough state funding to offset the amount owed under Chapter 41 for the 2015–2016 school year. Such a district may request and receive approval from the commissioner of education to delay the date of the election required to be ordered before September 1. This subsection expires September 1, 2016.

New Subsection (c-1) provides that a district that received approval to delay an election could adopt a tax rate for the 2015 tax year before the commissioner certified that the district had achieved the equalized wealth level. This subsection expires September 1, 2016.

The bill amended Subchapter A, Chapter 41, Education Code, by adding Section 41.0042, “Transitional Provisions: Increased Homestead Exemption and Limitation on Tax Increases.”

Subsection (a) requires the commissioner of education to approve a district request to delay an election if the commissioner determined that the district would not have a wealth per student that exceeded the equalized wealth level if the constitutional amendment received voter approval.

Subsection (b) requires the commissioner of education to set an election date for districts that had received approval to delay an election.

Subsection (c) requires the commissioner of education to order detachment and annexation of property or consolidation of a district as necessary to achieve an equalized wealth level for a district that received approval to delay an election and either failed to hold the election or did not receive voter approval at the election.

Subsection (d) provides that this section would expire September 1, 2017.

Section 10 of the bill would amend Subchapter A, Chapter 41, Education Code, by adding Section 41.0121, “Transitional Election Dates.”

Subsection (a) provides that this section applies only to an election under this chapter that occurred during the 2015–2016 school year.

Subsection (b) requires districts that received approval to delay an election and to hold the election on a Tuesday or Saturday on or before a date specified by the commissioner. Requirements for uniform election dates do not apply to these elections.

Subsection (c) states that this section expires on September 1, 2016.

The bill amends Section 41.094, Education Code, by adding Subsection (a-1) requiring districts approved to delay an election to pay for attendance credits purchased in equal monthly payments beginning March 15, 2016, and ending August 15, 2016. This subsection would expire September 1, 2016.

The bill amends Subchapter D, Chapter 41, Education Code, by adding Section 41.0981 related to transitional early agreement credits to allow districts that received approval to delay an election to receive an early agreement credit in the 2015–2106 school year, if the district ordered the election and obtained voter approval by the date specified by the commissioner. This section would expire September 1, 2016.

The bill amended Section 41.208, Education Code, by adding Subsection (a-1) to require the commissioner to order any detachments and annexations of property under this subchapter as soon as practicable after the passage of constitutional amendment. This subsection expires September 1, 2016.

The bill amended Subchapter E, Chapter 42, Education Code, by adding Section 42.2518, “Additional State Aid for Homestead Exemption and Limitation on Tax Increases.”

Subsection (a) would entitle school districts to additional state aid for the 2015–2016 and 2016–2017 school years to the extent that state and local revenue was less than what had been available to the districts under Chapters 41 and 42 as they existed on September 1, 2015, if the provisions of this bill had not occurred.

Subsection (b) requires that the Texas Education Agency (TEA) use the lesser of either the school district’s currently adopted maintenance and operations (M&O) tax rate or its 2014 tax year M&O tax rate when computing the additional state aid under this section.

Subsection (c) requires the revenue from school district M&O taxes levied to pay for lease-purchase agreements to be included in determining state assistance under the Instructional Facilities Allotment (IFA) for purposes of calculating state aid.

Subsection (d) requires the commissioner to compute the amount of additional state aid to which districts are entitled using information from the comptroller and any other sources needed. The determination by the commissioner is considered final and may not be appealed.

Subsection (e) provides that this section expires on August 31, 2017.

The bill amended Subchapter E, Chapter 42, Education Code, by adding Section 42.2518, "Additional State Aid for Homestead Exemption and Limitation on Tax Increases," effective September 1, 2017.

Subsection (a) entitles school districts to additional state aid beginning with the 2017–2018 school year to the extent that state and local revenue was less than what had been available to the districts under Chapters 41 and 42 as they existed on September 1, 2015, excluding any state aid provided in the state compression percentage if the provisions of this bill had not occurred.

Subsection (b) requires that the TEA use the lesser of either the school district's currently adopted M&O tax rate or its 2014 tax year M&O tax rate when computing the additional state aid under this section.

Subsection (c) requires the revenue from school district M&O taxes levied to pay for lease-purchase agreements to be included in determining state assistance under the IFA for purposes of calculating state aid.

Subsection (d) requires the commissioner of education to compute the amount of additional state aid to which districts are entitled using information from the comptroller and any other source needed. The determination by the commissioner is considered final and may not be appealed.

The bill amended Section 42.252, Education Code, by adding Subsection (e) to require the determination of a school district's local share for Tier 1 for the 2015–2016 school year to be based on the taxable value of property as if the provisions of this bill had been in effect for the 2014 tax year. This subsection expires September 1, 2016.

The bill amended Section 42.302, Education Code, by adding Subsection (g) to require the determination of the school district's enrichment tax rate (DTR) and local revenue (LR) for the 2015–2016 school year to be based on taxable value of property as if the provisions of this bill had been in effect for the 2014 tax year. This subsection expires September 1, 2016.

The bill amended Section 46.003, Education Code, by adding Subsection (i) to require the determination of the school district's bond tax rate (BTR) and taxable value of property (DPV) for the 2015–2016 school year to be based on taxable value of property as

if the provisions of this bill had been in effect for the 2014 tax year. This subsection expires September 1, 2016.

The bill amended Section 46.032, Education Code, by adding Subsection (i) to require the determination of the school district's existing debt tax rate (EDTR) and taxable value of property (DPV) for the 2015–2016 school year to be based on taxable value of property as if the provisions of this bill had been in effect for the 2014 tax year. This subsection expires September 1, 2016.

The bill amended Chapter 46, Education Code, by adding Subchapter D, State Aid for Homestead Exemption and Limitation on Tax Increases.

New Section 46.071 provides Additional State Aid for Homestead Exemption and Limitation on Tax Increases. Subsection (a) entitles school districts to additional state aid, beginning with the 2015–2016 school year to the extent that state and local revenue used to service eligible debt under this chapter was less than what had been available to the districts under this chapter as it existed on September 1, 2015, if the provisions of this bill had not occurred.

Subsection (b) ensures that the state aid provided by this section is not offset by a gain in state aid under this chapter.

Subsection (c) limits the state aid under this section to the amount required to service eligible debt under this chapter that was issued on or before September 1, 2015, including refunding of debt for the purposes of determining state aid. The 29 cent limitation by Section 46.034(a) does not apply for determining state aid under this section.

Subsection (d) limits the amount of state aid to a district to an amount, when added to the district's local I&S revenue, that equals the amount required to pay the eligible debt service.

Subsection (e) requires the commissioner of education to compute the amount of additional state aid to which districts are entitled using information from the comptroller and any other source needed. The determination by the commissioner is considered final and may not be appealed.

The bill amended Section 403.302(j), Government Code, to require the comptroller to certify the final value for each school district computed on the amount of the residence homestead exemption in effect for the applicable tax year and the effect of the additional limitation on tax increases under the provisions of this bill.

Change from current law: Residential homestead exemptions would increase from \$15,000 to \$25,000 beginning with the 2015

tax year, if voters approve the companion constitutional amendment. Numerous transitional provisions would apply over the next biennium. Tax assessors would be required to issue transitional tax bills this fall. If the constitutional amendment fails, assessors would be required to issue supplemental tax bills. Appraisal districts will need to amend taxable property values and report them to the comptroller, who will in turn report them to the TEA. TEA will be required to use the revised values in the computation of wealth per student and state aid formulas. TEA will be required to deliver state aid to make up for the loss of local tax collections.

Effective Date: Sections 25.23(a-1); 26.04(a-1) and (c-1); 26.08(q); 26.09(c-1); 26.15(h); 31.01(d-2), (d-3), (d-4), and (d-5); and 31.012(a-1), Tax Code, and Sections 41.004(a-1), (b-1), and (c-1), 41.0042, 41.0121, 41.094(a-1), and 41.0981, and 41.208(a-1), Education Code, were effective June 15, 2015.

If the constitutional amendment fails, this bill has no effect.

Action required for 2015-16 School Year: Assessors will need to prepare provisional tax bills. Taxable property values will have to be revised. State aid will have to be sent to districts to make up for the loss of local levies.

Outstanding Issues: Passage of SJR 1.

For further information, please contact:
State Funding Division
Amanda Brownson (512) 463-0986 or
Amy Copeland (512) 463-8732

Rulemaking Authority: 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

SB 724

Amends Section 152.082, Tax Code

Summary: This bill is related to exempting vehicles operated by a commercial transportation services company under a contract with a board of county school trustees or school district board of trustees under Section 34.008 of the Education Code, or the governing body of an open-enrollment charter school, from paying the motor vehicle sales and use tax.

Change from current law: The motor vehicle sales and use tax exemption would include commercial transportation services companies under contract with a board of county school trustees or school district board of trustees or the governing body of an open-enrollment charter school in addition to public agencies.

Effective Date: June 17, 2015

Action required for 2015-16 School Year: None

Outstanding Issues: None

For further information, please contact:

Office of the Comptroller of Public

Accounts of the State of Texas

512-463-4000

Rulemaking Authority: No

Does this expressly apply to charters? Yes

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

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

SJR 1

Amends Sections 1-b(c), (d), and (e),
Article VIII, Texas Constitution

Summary: This resolution would propose a constitutional amendment increasing the amount of the residence homestead exemption (RHE) from ad valorem taxes that may be imposed for those purposes on the homestead of an elderly or disabled person to reflect the increased exemption amount, authorizing the legislature to prohibit a political subdivision that has adopted an optional residence homestead exemption from reducing the amount of or repealing the exemption, and prohibiting the enactment of a law that imposes a transfer tax on a transaction that conveys fee simple title to real property.

Section 1 of the resolution would amend Sections 1-b(c), (d), and (e), Article VIII, Texas Constitution.

Amendments to Subsection (c) increased the RHE from \$15,000 to \$25,000 and updated references related to state aid to make up for losses due to the RHE.

Subsection (d) modified the provisions that apply to frozen tax levies for certain individuals.

Subsection (e) allows the legislature by general law to prohibit the governing body of a political subdivision that has adopted a local optional homestead exemption from reducing or repealing the exemption.

Article VIII, Texas Constitution was amended by adding Section 29 that would prevent a tax from being imposed or collected on the conveyance of real property.

Section 3 of the bill provided a temporary provision to the Texas Constitution stating that the amendments to Sections 1-b(c), (d), and (e), Article VIII, of the Texas Constitution would take effect for

the tax year beginning January 1, 2015. This temporary provision would expire January 1, 2017.

Section 4 of the bill provides that this proposed amendment will be submitted to voters at an election to be held on November 3, 2015, and provides the ballot language.

Change from current law: Increases residential homestead exemptions from \$15,000 to \$25,000.

Effective Date: Provisions become effective upon passage of the constitutional amendment.

Action required for 2015-16 School Year: See enabling legislation, SB 1

Outstanding Issues: Voters must approve the amendment before it becomes effective.

For further information, please contact:
State Funding Division
Amanda Brownson (512) 463-0986 or
Amy Copeland (512) 463-8732

Rulemaking Authority: 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

HB 77

Summary: The Health and Human Services Commission (HHSC) in conjunction with a statewide coalition on family violence must conduct a study of activities in the Dallas community addressing family violence, with a specific focus on each aspect of the Dallas Men Against Abuse program, to determine if any or all of those activities or program aspects should be implemented at the state level or in additional local communities or school districts.

The HHSC must consult with the City of Dallas Domestic Violence Task Force and a researcher with expertise on family violence who is affiliated with a Texas institution of higher education to conduct this study.

The study must examine each aspect of the Dallas Men Against Abuse program. It must also evaluate the effectiveness of each aspect of the program and the effectiveness of other community activities that contributed to changes in community responses to family violence, based on indicators developed in consultation with family violence experts, including the statewide coalition on family violence. The study must evaluate the effectiveness of the Dallas Men Against Abuse program in increasing male involvement

in addressing family violence and must incorporate background information related to domestic violence. The costs associated with the program and other community activities addressing family violence and the sources of funding must be assessed by the study. The study must also determine the feasibility of implementing any or all of those activities or program aspects at the state level or in additional local communities or school districts. Lastly, the study must make recommendations to the legislature regarding implementation of any or all of the program aspects or other community activities addressing family violence.

At the request of the HHSC, the Department of Family and Protective Services and each health and human services agency must participate in the study and provide appropriate assistance. The Texas Education Agency must cooperate with the HHSC as necessary to enable the HHSC to assess the feasibility of implementing any or all of the program aspects or other community activities addressing family violence in school districts. The HHSC must submit to the legislature a report regarding the results of the study not later than December 1, 2016.

Change from current law: There is currently no required study of the Dallas Men Against Abuse program.

Effective Date: June 19, 2015

Action required for 2015-16 School Year: No action required of school districts or charter schools.

Outstanding Issues: None

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

Rulemaking Authority: 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

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