

# **Briefing Book on Public Education Legislation**

## **86th Texas Legislative Session**

**December 2019**



# Table of Contents

<b>Introduction</b> .....	<b>1</b>
<b><a href="#">HB 3</a></b> ..... <i>Relating to public school finance and public education.</i>	<b>2</b>
<b><a href="#">HB 18</a></b> ..... <i>Relating to consideration of the mental health of public school students in training requirements for certain school employees, curriculum requirements, counseling programs, educational programs.</i>	<b>9</b>
<b><a href="#">HB 19</a></b> ..... <i>Relating to mental health and substance use resources for certain school districts.</i>	<b>16</b>
<b><a href="#">HB 41</a></b> ..... <i>Relating to paid leave for a state employee who is a search and rescue volunteer.</i>	<b>18</b>
<b><a href="#">HB 65</a></b> ..... <i>Relating to reporting information regarding public school disciplinary actions.</i>	<b>19</b>
<b><a href="#">HB 76</a></b> ..... <i>Relating to cardiac assessments of high school participants in extracurricular athletic activities sponsored or sanctioned by the University Interscholastic League.</i>	<b>20</b>
<b><a href="#">HB 111</a></b> ..... <i>Relating to training for employees of school districts and open-enrollment charter schools on the prevention of sexual abuse, sex trafficking, and other maltreatment of certain children.</i>	<b>22</b>
<b><a href="#">HB 114</a></b> ..... <i>Relating to providing public high school students information regarding the availability of college credit awarded for military experience, education, and training obtained during military service.</i>	<b>23</b>
<b><a href="#">HB 165</a></b> ..... <i>Relating to providing for endorsements for public high school students enrolled in special education programs.</i>	<b>24</b>
<b><a href="#">HB 293</a></b> ..... <i>Relating to investment training requirements for school district and municipal financial officers.</i>	<b>25</b>
<b><a href="#">HB 305</a></b> ..... <i>Relating to the requirement that a state agency or political subdivision with authority to impose a tax post certain information on an Internet website.</i>	<b>26</b>
<b><a href="#">HB 330</a></b> ..... <i>Relating to excluding certain students from the computation of dropout and completion rates for purposes of public school accountability.</i>	<b>27</b>
<b><a href="#">HB 391</a></b> ..... <i>Relating to student access to public school instructional materials and technology.</i>	<b>28</b>
<b><a href="#">HB 396</a></b> ..... <i>Relating to acceptable uses of the instructional materials and technology fund and the instructional materials and technology allotment.</i>	<b>29</b>
<b><a href="#">HB 403</a></b> ..... <i>Relating to training requirements for a member of the board of trustees and the superintendent of an independent school district regarding sexual abuse, human trafficking, and other maltreatment of children.</i>	<b>30</b>
<b><a href="#">HB 440</a></b> ..... <i>Relating to general obligation bonds issued by political subdivisions.</i>	<b>31</b>

<a href="#"><u>HB 446</u></a> .....	33
<i>Relating to the criminal consequences of engaging in certain conduct with respect to certain instruments designed, made, or adapted for use in striking a person.</i>	
<a href="#"><u>HB 477</u></a> .....	34
<i>Relating to the notice required before the issuance of certain debt obligations by political subdivisions.</i>	
<a href="#"><u>HB 496</u></a> .....	36
<i>Relating to traumatic injury response protocol and the use of bleeding control stations in public schools.</i>	
<a href="#"><u>HB 548</u></a> .....	39
<i>Relating to reporting certain truancy information through the Public Education Information Management System.</i>	
<a href="#"><u>HB 638</u></a> .....	42
<i>Relating to the issuance of posthumous high school diplomas to certain students.</i>	
<a href="#"><u>HB 674</u></a> .....	43
<i>Relating to soliciting from school districts served by a regional education service center certain information in conjunction with the annual evaluation of the center.</i>	
<a href="#"><u>HB 678</u></a> .....	44
<i>Relating to the public high school graduation credit requirements for a language other than English.</i>	
<a href="#"><u>HB 680</u></a> .....	45
<i>Relating to the evaluation of and improvements to the quality of the Texas Workforce Commission's subsidized childcare program.</i>	
<a href="#"><u>HB 684</u></a> .....	49
<i>Relating to training requirements for public school nurses and certain other school personnel regarding seizure recognition and related first aid.</i>	
<a href="#"><u>HB 692</u></a> .....	51
<i>Relating to the suspension of a student who is homeless from public school.</i>	
<a href="#"><u>HB 706</u></a> .....	52
<i>Relating to the eligibility of certain children with hearing impairments for audiology services under the school health and related services program.</i>	
<a href="#"><u>HB 793</u></a> .....	53
<i>Relating to certain government contracts with companies that boycott Israel.</i>	
<a href="#"><u>HB 811</u></a> .....	54
<i>Relating to determining appropriate disciplinary action to be taken against a public school student who is in foster care or who is homeless.</i>	
<a href="#"><u>HB 906</u></a> .....	55
<i>Relating to the establishment of a collaborative task force to study certain public school mental health services.</i>	
<a href="#"><u>HB 961</u></a> .....	58
<i>Relating to the membership and training course requirements of school district and open-enrollment charter school concussion oversight teams.</i>	
<a href="#"><u>HB 963</u></a> .....	59
<i>Relating to the career and technology education and technology applications allotment and the essential knowledge and skills of the career and technology education and technology applications curriculums.</i>	
<a href="#"><u>HB 965</u></a> .....	60
<i>Relating to updating references to certain former health services state agencies and certain terms used to describe persons with intellectual or developmental disabilities in the Education Code.</i>	

<a href="#"><u>HB 982</u></a> .....	62
<i>Relating to the administration of "pay for success" contracts for state agencies.</i>	
<a href="#"><u>HB 1026</u></a> .....	63
<i>Relating to instruction in positive character traits in public schools.</i>	
<a href="#"><u>HB 1051</u></a> .....	64
<i>Relating to an adult education program provided under an adult high school diploma and industry certification charter school program, eligibility of certain students for Foundation School Program benefits.</i>	
<a href="#"><u>HB 1064</u></a> .....	66
<i>Relating to designating May 4 as Texas Firefighters Day.</i>	
<a href="#"><u>HB 1143</u></a> .....	67
<i>Relating to the transportation or storage of a handgun or other firearm or ammunition by a handgun license holder in a school parking area.</i>	
<a href="#"><u>HB 1244</u></a> .....	68
<i>Relating to including a civics test in the graduation requirements for public high school students and to eliminating the United States history end-of-course assessment instrument.</i>	
<a href="#"><u>HB 1387</u></a> .....	69
<i>Relating to the number of school marshals that may be appointed to serve on a public school campus or at a private school.</i>	
<a href="#"><u>HB 1597</u></a> .....	70
<i>Relating to establishing residency for purposes of admission into public schools.</i>	
<a href="#"><u>HB 1702</u></a> .....	71
<i>Relating to services provided for students at public institutions of higher education who are or were in foster care.</i>	
<a href="#"><u>HB 1709</u></a> .....	72
<i>Relating to the appointment of a surrogate parent for certain children in the conservatorship of the Department of Family and Protective Services.</i>	
<a href="#"><u>HB 1734</u></a> .....	73
<i>Relating to litigation involving certain defects in school district facilities and enforcement of certain duties following that litigation.</i>	
<a href="#"><u>HB 1891</u></a> .....	75
<i>Relating to an exemption from the assessment requirements of the Texas Success Initiative for students who achieve certain scores on certain high school equivalency examinations.</i>	
<a href="#"><u>HB 1949</u></a> .....	76
<i>Relating to the criteria for awarding adult education and literacy program performance incentive funds.</i>	
<a href="#"><u>HB 2184</u></a> .....	77
<i>Relating to a public school student's transition from an alternative education program to a regular classroom.</i>	
<a href="#"><u>HB 2190</u></a> .....	79
<i>Relating to admission of certain students to an open-enrollment charter school in certain counties.</i>	
<a href="#"><u>HB 2195</u></a> .....	80
<i>Relating to an active shooter emergency policy for school districts.</i>	
<a href="#"><u>HB 2210</u></a> .....	81
<i>Relating to the consideration for public school accountability purposes of certain students receiving residential services in state hospitals.</i>	
<a href="#"><u>HB 2243</u></a> .....	82
<i>Relating to the use of prescription asthma medicine on public and private school campuses.</i>	

<a href="#"><u>HB 2325</u></a> .....	84
<i>Relating to information and communication of governmental and other entities regarding disasters and health and human services.</i>	
<a href="#"><u>HB 2424</u></a> .....	85
<i>Relating to the creation of a micro-credential certification program for public school educator continuing education.</i>	
<a href="#"><u>HB 2526</u></a> .....	86
<i>Relating to criteria for admission of certain students into public schools.</i>	
<a href="#"><u>HB 2617</u></a> .....	87
<i>Relating to the fiscal year of certain political subdivisions.</i>	
<a href="#"><u>HB 2633</u></a> .....	88
<i>Relating to the consumption, possession, or sale of an alcoholic beverage at a performing arts facility leased to a nonprofit organization by a school district.</i>	
<a href="#"><u>HB 2706</u></a> .....	89
<i>Relating to local government public investment of funds</i>	
<a href="#"><u>HB 2778</u></a> .....	90
<i>Relating to the allocation of expenses of a joint election to certain school districts.</i>	
<a href="#"><u>HB 2783</u></a> .....	91
<i>Relating to the establishment of the Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council.</i>	
<a href="#"><u>HB 2813</u></a> .....	92
<i>Relating to the statewide behavioral health coordinating council.</i>	
<a href="#"><u>HB 2840</u></a> .....	93
<i>Relating to the right of a member of the public to address the governing body of a political subdivision at an open meeting of the body.</i>	
<a href="#"><u>HB 2984</u></a> .....	94
<i>Relating to the essential knowledge and skills of the technology applications curriculum.</i>	
<a href="#"><u>HB 3007</u></a> .....	96
<i>Relating to requiring the Texas Education Agency to provide to a school district certain information used in determining academic accountability ratings for the district.</i>	
<a href="#"><u>HB 3011</u></a> .....	97
<i>Relating to requiring the Texas Higher Education Coordinating Board to provide to a school district certain information used in determining academic accountability ratings for the district.</i>	
<a href="#"><u>HB 3012</u></a> .....	98
<i>Relating to requiring the provision of instruction to public school students subject to in-school or out-of-school suspension.</i>	
<a href="#"><u>HB 3145</u></a> .....	99
<i>Relating to the right of a parent appointed as a conservator of a child to attend school activities</i>	
<a href="#"><u>HB 3217</u></a> .....	100
<i>Relating to certain eligibility requirements for issuance of a teaching certificate.</i>	
<a href="#"><u>HB 3435</u></a> .....	101
<i>Relating to establishing and celebrating Texas Girls in STEM Day.</i>	
<a href="#"><u>HB 3630</u></a> .....	102
<i>Relating to prohibiting the use of certain behavioral interventions on students enrolled in public school who receive special education services.</i>	

<a href="#"><u>HB 3650</u></a> .....	<b>103</b>
<i>Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.</i>	
<a href="#"><u>HB 3834</u></a> .....	<b>104</b>
<i>Relating to the requirement that certain state and local government employees and state contractors complete a cybersecurity training program certified by the state cybersecurity coordinator.</i>	
<a href="#"><u>HB 3875</u></a> .....	<b>105</b>
<i>Relating to cloud compatibility of certain state agency information technology purchases.</i>	
<a href="#"><u>HB 3884</u></a> .....	<b>106</b>
<i>Relating to dissemination of bacterial meningitis information by school districts.</i>	
<a href="#"><u>HB 3906</u></a> .....	<b>107</b>
<i>Relating to the adoption and administration of assessment instruments used to assess the performance of public school students.</i>	
<a href="#"><u>HB 4170</u></a> .....	<b>111</b>
<i>Relating to nonsubstantive additions to, revisions of, and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws.</i>	
<a href="#"><u>HB 4205</u></a> .....	<b>112</b>
<i>Relating to the conditions under which a closed campus may be repurposed to serve students at that campus location.</i>	
<a href="#"><u>HB 4258</u></a> .....	<b>114</b>
<i>Relating to approval by the attorney general of certain bonds financing an educational facility for certain charter schools.</i>	
<a href="#"><u>HB 4310</u></a> .....	<b>115</b>
<i>Relating to teacher instructional time.</i>	
<a href="#"><u>HB 4342</u></a> .....	<b>116</b>
<i>Relating to the composition of the board of directors of the Texas School Safety Center.</i>	
<a href="#"><u>HB 4388</u></a> .....	<b>117</b>
<i>Relating to the management of the permanent school fund by the School Land Board and the State Board of Education.</i>	
<a href="#"><u>HB 4611</u></a> .....	<b>119</b>
<i>Relating to certain distributions to the available school fund.</i>	
<a href="#"><u>HCR 59</u></a> .....	<b>120</b>
<i>Designating the second week of November as School Psychologist Appreciation Week for a 10-year period beginning in 2019</i>	
<a href="#"><u>HJR 151</u></a> .....	<b>121</b>
<i>Proposing a constitutional amendment allowing increased distributions to the available school fund.</i>	
<a href="#"><u>SB 2</u></a> .....	<b>122</b>
<i>Relating to ad valorem taxation.</i>	
<a href="#"><u>SB 11</u></a> .....	<b>123</b>
<i>Relating to policies, procedures, and measures for school safety and mental health promotion in public schools.</i>	
<a href="#"><u>SB 25</u></a> .....	<b>129</b>
<i>Relating to measures to facilitate the transfer, academic progress, and timely graduation of students in public higher education.</i>	
<a href="#"><u>SB 30</u></a> .....	<b>130</b>
<i>Relating to ballot language requirements for a proposition seeking voter approval for the issuance of bonds.</i>	

<a href="#"><u>SB 37</u></a> .....	132
<i>Relating to the abolition of student loan default or breach of a student loan repayment or scholarship contract as a ground for nonrenewal of professional license.</i>	
<a href="#"><u>SB 38</u></a> .....	134
<i>Relating to the offense of hazing.</i>	
<a href="#"><u>SB 54</u></a> .....	135
<i>Relating to the consideration for public school accountability purposes of certain students participating in regional day school programs for the deaf.</i>	
<a href="#"><u>SB 64</u></a> .....	136
<i>Relating to cybersecurity for information resources.</i>	
<a href="#"><u>SB 65</u></a> .....	137
<i>Relating to state contracting and procurement.</i>	
<a href="#"><u>SB 139</u></a> .....	140
<i>Relating to a notice of educational rights and recovery by school districts and open-enrollment charter schools of costs for certain student evaluations.</i>	
<a href="#"><u>SB 213</u></a> .....	142
<i>Relating to the use of individual graduation committees and other alternative methods to satisfy certain public high school graduation requirements.</i>	
<a href="#"><u>SB 232</u></a> .....	144
<i>Relating to parental notification by a school district regarding high school graduation requirements.</i>	
<a href="#"><u>SB 241</u></a> .....	145
<i>Relating to certain required reports received or prepared by state agencies and other governmental entities.</i>	
<a href="#"><u>SB 285</u></a> .....	146
<i>Relating to information and outreach regarding hurricane preparedness and mitigation.</i>	
<a href="#"><u>SB 372</u></a> .....	147
<i>Relating to the authority of an open-enrollment charter school to employ security personnel, commission peace officers, and have school resource officers.</i>	
<a href="#"><u>SB 435</u></a> .....	148
<i>Relating to recommendations by local school health advisory councils regarding opioid addiction and abuse education in public schools.</i>	
<a href="#"><u>SB 500</u></a> .....	149
<i>Relating to making supplemental appropriations and reductions in appropriations and prescribing limitations regarding appropriations.</i>	
<a href="#"><u>SB 504</u></a> .....	151
<i>Relating to the inclusion of certain information in postsecondary education and career counseling academies developed for certain school counselors and other postsecondary advisors employed by a school district.</i>	
<a href="#"><u>SB 522</u></a> .....	152
<i>Relating to the development of an individualized education program for a public school student with a visual impairment.</i>	
<a href="#"><u>SB 608</u></a> .....	153
<i>Relating to the continuation and functions of the School Land Board.</i>	
<a href="#"><u>SB 619</u></a> .....	155
<i>Relating to the sunset review process and certain governmental entities subject to that process.</i>	

<a href="#"><u>SB 668</u></a> .....	156
<i>Relating to data collection, reporting, and notice requirements for certain educational entities.</i>	
<a href="#"><u>SB 712</u></a> .....	158
<i>Relating to prohibiting the use of certain behavioral interventions on students enrolled in public school who receive special education services.</i>	
<a href="#"><u>SB 781</u></a> .....	159
<i>Relating to the regulation of residential treatment centers.</i>	
<a href="#"><u>SB 819</u></a> .....	160
<i>Relating to state agency electronic information and processes.</i>	
<a href="#"><u>SB 820</u></a> .....	161
<i>Relating to a requirement that a school district develop and maintain a cybersecurity framework.</i>	
<a href="#"><u>SB 869</u></a> .....	162
<i>Relating to guidelines for policies of school districts and open-enrollment charter schools for the care of certain students at risk for anaphylaxis.</i>	
<a href="#"><u>SB 944</u></a> .....	164
<i>Relating to the public information law.</i>	
<a href="#"><u>SB 1017</u></a> .....	166
<i>Relating to the creation of the advisory council on postsecondary education for persons with intellectual and developmental disabilities.</i>	
<a href="#"><u>SB 1055</u></a> .....	168
<i>Relating to the administration by the Texas Workforce Commission of a workforce diploma pilot program.</i>	
<a href="#"><u>SB 1200</u></a> .....	171
<i>Relating to the authority of certain military spouses to engage in a business or occupation in this state.</i>	
<a href="#"><u>SB 1230</u></a> .....	173
<i>Relating to the reporting of private school educator misconduct.</i>	
<a href="#"><u>SB 1231</u></a> .....	176
<i>Relating to providing certain public and private school administrators with information regarding certain child abuse and neglect investigations and allegations.</i>	
<a href="#"><u>SB 1276</u></a> .....	178
<i>Relating to an agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district.</i>	
<a href="#"><u>SB 1306</u></a> .....	179
<i>Relating to requiring a school district to post on the district's Internet website the name and contact information of each school administrator primarily responsible for student discipline at a district campus.</i>	
<a href="#"><u>SB 1324</u></a> .....	180
<i>Relating to the filing of a degree plan by students at public institutions of higher education.</i>	
<a href="#"><u>SB 1374</u></a> .....	181
<i>Relating to the sequencing of certain required mathematics courses in public schools.</i>	
<a href="#"><u>SB 1376</u></a> .....	182
<i>Relating to eliminating certain requirements imposed on school districts and other educational entities.</i>	
<a href="#"><u>SB 1451</u></a> .....	184
<i>Relating to the ability of public school teachers to maintain student discipline without being subjected to adverse employment consequences.</i>	



<a href="#"><u>SB 1454</u></a> .....	185
<i>Relating to the ownership, sale, lease, and disposition of property and management of assets of an open-enrollment charter school.</i>	
<a href="#"><u>SB 1476</u></a> .....	193
<i>Relating to the requirement for certain administrators of certain educational entities to report certain educator misconduct to the State Board for Educator Certification.</i>	
<a href="#"><u>SB 1557</u></a> .....	194
<i>Relating to military-connected students, including providing a designation for certain school district campuses that take actions to assist those students.</i>	
<a href="#"><u>SB 1679</u></a> .....	196
<i>Relating to eligibility of certain children for free prekindergarten programs in public schools.</i>	
<a href="#"><u>SB 1707</u></a> .....	197
<i>Relating to the duties of school district peace officers, school resource officers, and security personnel.</i>	
<a href="#"><u>SB 1746</u></a> .....	199
<i>Relating to the inclusion of certain students as students at risk of dropping out of school.</i>	
<a href="#"><u>SB 1828</u></a> .....	200
<i>Relating to Holocaust Remembrance Week in public schools.</i>	
<a href="#"><u>SB 2018</u></a> .....	201
<i>Relating to abolishing a dissolution committee established to abolish certain county boards of education or boards of county school trustees and appointing commissioners courts to assume the duties of the dissolution committee.</i>	
<a href="#"><u>SB 2073</u></a> .....	203
<i>Relating to a reduction in required days of service for educators in public schools under certain circumstances.</i>	
<a href="#"><u>SB 2075</u></a> .....	204
<i>Relating to public school compliance with dyslexia screening and testing requirements.</i>	
<a href="#"><u>SB 2117</u></a> .....	206
<i>Relating to state funding and accountability provisions applicable to school district campuses and programs operated under school district and charter partnerships.</i>	
<a href="#"><u>SB 2135</u></a> .....	207
<i>Relating to information a law enforcement agency is required to share with a school district about a person who may be a student.</i>	
<a href="#"><u>SB 2151</u></a> .....	208
<i>Relating to the Texas Diabetes Council and the state plan for diabetes and obesity treatment and education.</i>	
<a href="#"><u>SB 2283</u></a> .....	210
<i>Relating to the eligibility of persons convicted of certain offenses to serve as a member of a board of trustees of a school district.</i>	
<a href="#"><u>SB 2293</u></a> .....	211
<i>Relating to the applicability of certain laws to open-enrollment charter schools.</i>	
<a href="#"><u>SB 2432</u></a> .....	213
<i>Relating to the mandatory removal of a public school student from the classroom following certain conduct.</i>	

**Statute References**

*For a complete index of all statutes amended, added, or repealed by the legislation listed above, please visit the [Index to Sections Affected](#) database created by the Legislative Reference Library of Texas.*

# Introduction

At the beginning of the 86<sup>th</sup> Legislative Session, Governor Greg Abbott named school finance reform, property tax relief, and school safety among his emergency items. This declaration set the stage and focus of the 86<sup>th</sup> Session on public education. Over 1,100 bills were filed affecting school districts, open-enrollment charter schools, and the Texas Education Agency (TEA), including many directly addressing the Governor's public education priorities.

Among the enacted legislation is House Bill 3 (HB 3), a sweeping and historic school finance bill. The bill provides more money for Texas classrooms, increases teacher compensation, reduces recapture and cuts local property taxes for Texas taxpayers. HB 3 is one of the most transformative Texas education bills in recent history. The bill is the result of months of work beginning with the [Texas Commission on Public School Finance](#) and culminating in bipartisan work between the members of the Texas House and Senate.

The Texas Legislature (Legislature) also took action to address the Governor's priorities by increasing safety and mental health supports in Texas schools through the passage of Senate Bill 11 (SB 11). SB 11 focuses on expanding mental health initiatives, strengthens safety and emergency protocols, and provides funding to districts to increase safety and security on campuses. TEA will work closely with the Texas School Safety Center in implementing SB 11, as well as with other statewide entities, including the regional education service centers (ESCs) and the Health and Human Services Commission.

Though not an emergency item, state assessment reform became a top priority for members of the Legislature leading up to and throughout the 86<sup>th</sup> Session. With the passage of House Bill 3906 (HB 3906), TEA is now authorized to take important steps to address issues such as test anxiety and long wait times for test results. HB 3906 requires TEA and the State Board of Education to establish a transition plan to implement electronic test administration beginning in 2021 and establishes an integrated formative assessment pilot program. To ensure a strong, continuous feedback loop as these changes are made, HB 3906 establishes an educator advisory committee to support agency implementation.

Including HB 3, SB 11, and HB 3906, TEA has identified 138 bills that were passed by the Legislature and signed by Governor Abbott to include in the Briefing Book on Public Education Legislation (Briefing Book). The Briefing Book includes section-by-section summaries of bills that affect school districts, open-enrollment charter schools, TEA, and the State Board of Education and details relevant amendments made to the Texas Education Code (TEC) and other Texas laws. For questions related to the bills included in the Briefing Book, please contact [TEA's Office of Governmental Relations](#) at [govrel@tea.texas.gov](mailto:govrel@tea.texas.gov) or 512-463-9628.

## HB 3

Author: Huberty, Dan

Sponsor: Taylor, Larry

**Bill Summary:** House Bill 3, a sweeping and historic school finance bill, was passed by the 86<sup>th</sup> Texas Legislature in 2019 and signed by Governor Greg Abbott. The bill can be broken down into four major policy areas:

1. Supports Teachers and Rewards Teacher Excellence
2. Focuses on Learning and Improving Outcomes
3. Increases Funding and Equity
4. Reduces and Reforms Property Taxes and Recapture

The brief summary below highlights the key changes that resulted from the passage of HB 3. For more information and to view TEA's *House Bill 3 in 30* web series, please visit the [House Bill 3 Webpage](#).



### SUPPORTS TEACHERS AND REWARDS TEACHER EXCELLENCE

- Basic Allotment (BA) is increased from \$5,140 to \$6,160, which increases the minimum salary schedule (MSS) between \$5,500 - \$9,000 per creditable year of service (CYS) **(HB 3 Section 1.021, 1A.005)**<sup>1</sup>
- Any year the BA is increased, districts must allocate 30% of their year-over-year budget increase toward full-time employee compensation increases - 75% for teachers, counselors, nurses, and librarians **(1.021, 1A.005)**
  - Districts must report to the Legislature on salary and wage increases for the 2019-2020 school year **(5.008) by December 1, 2020**
- The increased MSS means the state will pay more for Teachers Retirement System (TRS) contributions for teachers, so districts pay less out of their own budgets.
  - Amends language to specifically require Districts of Innovation (DOI) and charters to pay the TRS state contribution on the amount above MSS **(1.062)**
- Establishes a Teacher Incentive Allotment with a stated goal of a six-figure salary for teachers and to prioritize high needs areas and rural district campuses **(1.031)**
  - Districts designate Master, Exemplary, or Recognized teachers for a five- year period if they meet established criteria **(2.008)**
    - Designations based on T-TESS or alternative local appraisal, given standards adopted by TEA and overseen by Texas Tech University **(2.008, 2.007)**
    - Automatic designation as Recognized if a teacher is Nationally Board Certified. **(2.008)**
  - Master Teacher = \$12,000 to \$32,000; Exemplary Teacher = \$6,000 to \$18,000; and Recognized Teacher = \$3K to \$9K—all based on a teacher's placement in a campus that is rural or that has a higher compensatory education weight. **(1.031)**
    - Prior Master Teacher certificates have been repealed **(2.006; 4.001)**

<sup>1</sup> The parenthetical citations indicate the relevant HB 3 bill sections where these amendments are found. Unless otherwise noted, all changes resulting from HB 3 apply for the 2019-2020 school year.

- Establishes a Teacher Mentorship program to fund stipends to mentors and other costs associated with mentoring teachers in their first two years **(1.031)**
  - Districts must meet certain quality requirements when implementing their mentoring programs, including training mentors, and the areas of focus for the mentor/mentees including data driven instruction (DDI) practices **(2.009)**
- Further protects students and the integrity of the teaching profession by creating a Do- Not-Hire Registry that ensures non-certified personnel will not work at schools if they have abused a child or had an inappropriate relationship with a minor. This applies to districts, charters, and DOIs **(2.001; Article 2A)**



## FOCUSES ON LEARNING AND IMPROVING STUDENT OUTCOMES

### *Prioritizing Early Literacy, Including Pre-K*

- Requires Boards of Trustees to develop and post early childhood literacy and mathematics proficiency plans that set specific annual goals **(2.003, 2.035)**
- Requires full day Pre-K for 4-year-olds and the programs to comply with High-Quality measures in statute, with waivers allowed and new reporting requirements **(2.019 – 2.030, 4.001)**
  - Requires districts to consider partnerships with high-quality providers prior to building or leasing new facilities for Pre-K **(2.019, 2.029)**
  - Requires TEA to make available up to two diagnostic tools to determine early literacy readiness at the beginning of Kindergarten and allow optional diagnostic of mathematics and other school readiness domains. TEA must also publish Kindergarten readiness data in new ways **(2.012) 2020–2021 School Year**
- Establishes an Early Education Allotment for students in grades K-3 who are educationally disadvantaged (i.e. eligible for free and reduced lunch) or limited English proficiency funded at 0.1 per Average Daily Attendance (ADA). **(1.031)**
  - Eligible uses of funds include programs and services designed to improve performance in Pre-K through 3rd grade reading and math **(1.031)**
- Establishes a new Dyslexia Allotment of 0.1 per ADA **(1.027)**
- Adds an extra 0.05 weight for dual language immersion/one-way or two-way programs for non-English speakers (0.05 for an English speaker in a two-way) **(1.030)**
  - Requires TEA to develop tools to assist districts and charters in bilingual education **(2.016)**
- Requires several reading practice improvements **(2.013)**
  - Requires all districts and charters provide for the use of a phonics curriculum that uses systematic direct instruction in K-3 **(2.013)**
  - Requires all K-3 teachers and principals to go through reading academies (ESCs offer this training) **(2.013)**
  - Requires districts to prioritize the placement of highly effective teachers in K-2 **(2.013)**

- Requires districts to integrate reading diagnostics in Pre-K-3 **(2.013)**
  - Requires Commissioner to create an early reading advisory committee **(2.013)**
- Requires State Board for Educator Certification to adopt rules that require all new Pre-K-6 teachers to pass a science of teaching reading exam **(2.005) January 1, 2021**

### *Improving College, Career, and Military Readiness*

- Requires Boards of Trustees to develop and post CCMR plans that set specific annual goals **(2.003, 2.035)**
- Establishes a CCMR Outcomes Bonus with funding paid for each annual graduate above a certain threshold percentage. **(1.031)** The amounts and likely threshold percentages are:
  - Educationally disadvantaged - \$5,000 each above the first 13% of CCMR graduates
  - Non-educationally disadvantaged - \$3,000 each above the first 25% of CCMR graduates
  - Special Education - \$2,000 for each CCMR graduate
  - Commissioner shall conduct a study on alternative career readiness measures for small and rural districts for the bonus **(1.031)**
- Reimburses districts to ensure students are given at least one college preparation assessment (TSIA, SAT, ACT) and at least one industry certification exam by graduation **(1.035, 1.036, 2.031; 2.034)**
- Expands CTE funding from grades 9-12 to grades 7-12 and adds technology application courses (like computer science) for funding **(1.030)**
- Districts receive an extra \$50 per student in P-TECH and New Tech High School models **(1.030)**
- Requires completion of a FAFSA prior to graduation **(2.014, 2.015) 2021–2022 School Year**
  - Allows for a parental, counselor or self (over 18) opt out **(2.015)**
  - Commissioner must establish an advisory committee **(2.015)**
- The High School Allotment has been repealed, with funding available for these other CCMR investments **(4.001)**

### *Increasing Support for Special Education*

- Increases Mainstream Special Education weight from 1.1 to 1.15 **(1.025)**
- Requires the Commissioner to establish the Special Education Allotment Advisory Committee and provide a report with assistance from the Legislative Budget Board, Governor’s Office, and the Legislature **(1.026) by May 2020**
- Encourages districts and charters to provide an incentive for teachers who complete training on Autism provided by a regional Education Service Center **(2.010)**

### *Expanding Learning Opportunities*

- Establishes an extended-year incentive for districts that provides funding on a half-day basis for up to 30 additional instructional days over 180 days in grades PK-5 **(1.014, 1.003) 2020–2021 School Year**
  - Optional for districts and students; Requires TEA to provide technical assistance **(2.011)**
- Allows the Commissioner to establish a grant program with a private entity for summer programs offering CTE courses **(2.032)**
- Establishes a blended learning grant program, including through Math Innovation Zones, with priority for a program for high populations of educationally disadvantaged students **(2.033)**
- Sets up a high school equivalency reimbursement program in coordination with the Texas Workforce Commission **(1.046)**



## INCREASES FUNDING ANDEQUITY

- Increases compensatory education weight from 0.2 to one of five values from 0.225 - 0.275 based upon the census tier for educationally disadvantaged students **(1.028)**
  - Students' census block groups are determined from their home address. Census block groups are put into one of 5 tiers based on the severity of poverty using four factors: poverty measured by median household income, average educational attainment of population, percentage of single parent households, and the rate of home- ownership
  - These same census tiers are used for the Teacher Incentive Allotment
  - Requires Commissioner to establish an advisory committee on compensatory education **(1.029)**
- Adds a new allotment of \$275 per student in ADA in a Residential Placement Facility or Dropout Recovery School **(1.034)**
- Eliminates the Cost of Education Index, so districts no longer receive funding based on a decades-old metric **(4.001)**, with funding redirected to the basic allotment
  - Requires TEA to study geographic variations in resource costs and costs of education including transportation **(1.019)**
- Amends statute from previous year to current year property values **(1.040)**, with funding redirected to the basic allotment
  - This has the effect of funding all districts in Tier One the same based on formulas regardless of property wealth

- Gifted & Talented (GT) funding is no longer provided based on identification, and instead all districts receive this funding through the basic allotment **(2.017, 2.018)**
  - Requires each district to adopt a policy regarding use of funds for GT programs & certify compliance **(2.017, 2.018)**
  - Requires Commissioner to reduce funds to any district in non-compliance by an amount equal to the prior GT allotment **(2.018)**
  
- Transportation Allotment is now given to all districts (including recapture ISDs)
  - Funding is provided as a per-mile reimbursement rather than a linear density calculation as well as funding for transit to colleges for dual credit and workplaces for work-based learning **(1.033)**
  
- The Available School Fund now equally funds all schools (including non-recapture ISDs) **(1.041)**
  
- Establishes the Fast Growth Schools Allotment for districts in the top 25% of enrollment growth at a 0.04 weight per ADA **(1.031)**
  
- Increases the cap allowed annually for New Instructional Facility Allotment (NIFA) from \$25M to \$100M **(1.033)**
  
- 1992/93 Hold Harmless provision is phased out 20% per year over five years (Equalized Wealth Transition Grants) **(1.043)**
  
- Amends statute so that disaster aid, when appropriated, applies equally to recapture and non-recapture districts. (Recapture offset is no longer a funding source) **(1.015, 1.042, 4.001)**
  - Disaster aid for facility repair now includes vehicles and computer equipment **(1.042)**
  
- The Small District Allotment factor increase for sub-300 square mile districts was accelerated to take effect immediately **(1.024; 4.001)**
  
- A new Small District Allotment factor for districts which are the only district in a county and have fewer than 300 students is created **(1.024)**
  
- The Small/Mid-Sized District Allotment has been amended so that it doesn't multiply other student factors, except for special education **(1.024; 1.025; 4.001)**
  
- Charter schools are now funded on a weighted average funding amount for the Small and Mid-sized Allotment, as opposed to a simple state average **(1.002)**
  
- Recapture calculations have been amended to ensure no district has funds recaptured below their formula entitlement **(1.041, 1.018, 1.049)**
  - Early Agreement Credit was repealed **(4.001)**, with funding redirected to the basic allotment

- Staffing Allotment has been repealed **(4.001)**, with funding redirected to the basic allotment
- A transition provision to the new HB 3 formulas ensures that all districts get at least 3% more funding than they would have under prior law, or for those districts who had been funded way above average, they remain funded at least at 128% of state average per ADA **(1.043)**



## REDUCES AND REFORMS PROPERTY TAXES AND RECAPTURE

- Converts first two Copper Pennies to Golden Pennies, meaning there will be eight Golden Pennies and nine Copper Pennies, and “re-orders” pennies so that Tier One is used first, then Golden Pennies, then Copper Pennies **(1.009; 1.038)**
- Shifts one penny of taxation below the Tax Ratification Elections (TRE) limit, allowing boards to access up to five Golden Pennies without a TRE **(1.063)**
  - Requires unanimous board consent for M&O tax hike in 2021 **(1.063)**
- Sets the Golden Penny yield at 160% of the basic allotment, with a floor of the 96th percentile of wealth, as opposed to Austin ISD’s wealth level **(1.038)**
- Increases the Copper Penny yield by almost half, and as a result, cuts the number of Copper Pennies districts already accessed by roughly half **(1.038)**
- Compresses Tier One tax rates, multiplying by a factor of 93% **(1.040; 1.063; 5.002) Tax Year 2019**
- Requires home mortgage escrow accounts to be adjusted to account for the lower tax rate **(1.064)**
- Limits the amount of increased property tax collections to 2.5% per year, by automatically lowering M&O Tier One tax rates statewide for all districts given statewide property value growth above 2.5%, and locally for each district given local value growth above 2.5% **(Article 1A) Tax Year 2020**
  - No district Tier One M&O can be compressed more than 10% lower than the highest Tier One M&O rate **(1A.007) Tax Year 2020**
  - Requires LBB to study this 2.5% property tax growth limitation **(1A.007) Tax Year 2020**
  - Sets up a mechanism to allow higher rates of local taxation in the event the basic allotment is reduced **(1A.007) Tax Year 2020**
- Prohibits districts from raising Maintenance and Operation (M&O) taxes for tax year 2019 unless already planning to do so by January 1, 2019 or are under \$0.93 for Tier One. **(1.008)**
- Requires TREs to be conducted on uniform election dates **(1.063)**



- Requires Boards of Trustees to conduct an efficiency audit prior to going out for a TRE **(1.001) January 1, 2020**
- Adds ballot language stating “THIS IS A PROPERTY TAX INCREASE” for bond elections **(1.008)**
- Reinforces prior law so that M&O / Interest & Sinking (I&S) tax swaps are illegal **(1.006; 1.007)**
- Reimburses districts the interest included on a refund for FY 2018 and FY 2019 **(1.042)**
- Creates Tax Reduction & Excellence in Education Fund for certain dedicated state funding sources, including Wayfair sales tax collections **(1.010) January 1, 2020**
- Eliminates M&O hold harmless for the 2015 homestead exemption **(4.001)**



## OTHER CHANGES

- Requires the Commissioner to enter into an MOU with an institution of higher education to conduct a study on the state assessment to determine whether reading passages are at the appropriate reading level **(2.036) By December 1, 2019**
- Applies whistleblower protections at charter schools **(2.004)**
- Standardizes allotment spending requirements for Special Education, Compensatory Education, Bilingual, CTE, and CCMR Outcomes at 55% of funding from the allotment, with certain reporting requirements established **(1.025, 1.028, 1.030, 1.031)**
- Requires tracking of pregnancy as a reason for drop-out **(1.017)**
- Commissioner may modify entitlement amounts and/or dates for tax rates with Legislative Budget Board and the Governor’s Office approval to implement HB 3 **(1.019)**
- The Commissioner continues to have waiver authority when necessary to support districts with respect to requirements to maintain minimum minutes of instruction **(1.013)**
- Clarifies Commissioner data sharing authority **(2.002)**
- Makes a number of conforming changes (Article 3, and list below), including moving chapter 41 & 42 to 48 and 49 and certain specific changes supporting transfer students, annexation/consolidation, and Texas School for the Blind and Visually Impaired/Texas School for the Deaf (TSBVI/TSD) **(1.003, 1.005, 1.022, 1.035, 1.050 - 1.056, 1A.001, 1A.002)**
  - **(1.011, 1.012, 1.016, 1.020, 1.023, 1.032, 1.037, 1.039, 1.044, 1.045, 1.047, 1.048, 1.057 – 1.060, 1.065)**

# HB 18

Author: Price, Four  
Sponsor: Watson, Kirk

**Bill Summary:** House Bill 18 requires training regarding mental health of public school students for certain school employees; adjusts curriculum requirements; amends requirements for counseling programs; adjusts requirements for coordinated school health programs, state and regional programs and services, and health care services for students and mental health first aid program training; and adjusts reporting regarding local mental health authority and school district personnel.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1.01	Amends TEC §5.001(5-a)	The definition of “mental health condition” is changed to mean a persistent or recurrent pattern of thoughts, feelings, or behaviors that constitutes a mental illness, disease, or disorder, other than or in addition to epilepsy, substance abuse, or an intellectual disability or impairs a person’s social, emotional, or educational functioning and increases the risk of developing a condition. The definition of “substance abuse” is changed to mean a patterned use of a substance, including a controlled substance, as defined by Health and Safety Code Chapter 481, and alcohol, in which the person consumes the substance in amounts or with methods that are harmful to the person’s self or to others.
1.02	Amends TEC §11.252(a)	<p>This section establishes that a district improvement plan must include provisions for strategies for improvement of student performance that include the following:</p> <ul style="list-style-type: none"><li>• Evidence-based practices that address the needs of students for special programs, including suicide prevention programs, in accordance with Chapter 38 Subchapter G, which include a parental or guardian notification procedure;</li><li>• Positive behavior interventions and support, including interventions and support that integrate best practices on grief-informed and trauma-informed care rather than discipline management; and</li><li>• Implementation of a comprehensive school counseling program under TEC §33.005.</li></ul> <p>Current law requires that a district improvement plan include strategies for providing to middle school, junior high school, and high school students, those students’ teachers and school counselors, and those students’ parents information about higher education admissions and financial aid opportunities. This section requires that information also be provided to elementary school students, teachers, parents and counselors and that the information for all levels include information about state financial aid opportunities.</p>
1.03	Amends TEC §21.044	The type of entities permitted to provide required instruction regarding mental health, substance abuse, and youth suicide to is expanded to include courses offered by accredited institutions of higher education as part of a degree program in addition to the current providers. The section also includes conforming changes.
1.04	Amends TEC §21.054	At least 25 percent of the training required every five years for teachers, counselors, and principles must include instruction regarding educating diverse student populations. The changes add specific training requirements related to educating students eligible to receive special education services, students eligible to receive services under Section 504, Rehabilitation Act of 1973, students with mental health conditions, students who engage in substance abuse, or students with intellectual or developmental disabilities.

		<p>Specific instruction regarding grief and trauma are added to the list of required continuing education hours that must be based on best practice-based programs and research-based practices and approved by the Commissioner in consultation with the Health and Human Services Commission (HHSC).</p> <p>This section allows an educator participating in an evidence-based mental health first aid training program or evidence-based trauma-informed and grief-informed care program to receive up to 16 hours of continuing education for completing that training. Additional training would be required of school counselors in counseling students on mental health and substance abuse and in implementing a comprehensive school counseling program.</p> <p>Continuing education requirements for a classroom teacher would be required to also include how mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.</p>
<b>1.05</b>	Amends TEC §21.451(d)	New law allows staff development in providing positive behavior intervention and support. The changes also require specific staff development regarding suicide prevention, mental health, substance abuse, positive relationships among students, how grief and trauma affect learning and behavior, and bullying to be provided on an annual basis for all new employees and to all educators on a scheduled adopted by rule. The additional training would be required to use a program recommended by HHSC in coordination with TEA.
<b>1.06</b>	Amends TEC §21.462	“Or Substance Abuse Conditions” is added to the title of the section, which now reads “Resources Regarding Students with Mental Health or Substance Abuse Conditions” and adds a reference to students who engage in substance abuse.
<b>1.07</b>	Amends TEC §§28.002(a) and 28.002(r)	<p>Health education must include an emphasis on physical health and mental health, including instruction about mental health conditions, substance abuse, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making.</p> <p>The State Board of Education must adopt essential knowledge and skills that address the science, risk factors, causes, dangers, consequences, signs, symptoms, and treatment of substance abuse, including the use of illegal drugs, abuse of prescription drugs, abuse of alcohol such as by binge drinking or other excessive drinking resulting in alcohol poisoning, inhaling solvents, and other forms of substance abuse.</p>
<b>1.08</b>	Amends TEC §§28.004(c) and 28.004(k)	<p>A local school health advisory council’s duties must include recommending:</p> <ul style="list-style-type: none"> <li>• the number of hours of instruction to be provided in health education in kindergarten through grade eight, and, if the school district requires health education for high school graduation, health education, including physical health education and mental health education, in grades 9 through 12;</li> <li>• policies procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent physical health concerns through the coordination of health education, which must address physical health concerns and mental health concerns to ensure the integration of physical health education and mental health education.</li> </ul> <p>Recommendations regarding health education are required to address physical health concerns and mental health concerns to ensure the integration of physical health education and mental health education.</p>

		<p>This section requires that local school health advisory council recommendations include school health services, including physical health services and mental health services, if provided at a campus by the district or by a third party under a contract with the district and would change a reference from counseling and guidance services to a comprehensive school counseling program under TEC §33.005.</p> <p>In addition to information that a school district is currently required to publish in the student handbook and post on the district’s website, if the district has a website, districts must now include a statement of the policies and procedures adopted to promote the physical health and mental health of students, the physical health and mental health resources available at each campus, contact information for the nearest providers of essential public health services under Health and Safety Code, Chapter 121, and the contact information for the nearest local mental health authority and for each campus in the district, a statement of whether the campus has a full-time nurse or full-time school counselor.</p>
<b>1.09</b>	Amends TEC §30.002(b)	References to the Department of Assistive and Rehabilitative Services Division for Blind Services are replaced with Health and Human Services Commission and the School for the Blind and Visually Impaired with the Texas Workforce Commission.
<b>1.10</b>	Amends TEC §33.004(b)	A reference to a comprehensive and developmental guidance and counseling program is replaced with a reference to a comprehensive school counseling program under TEC §33.005.
<b>1.11</b>	Amends TEC §33.005	TEC §33.005 is retitled as “Comprehensive School Counseling Programs.” This section requires a school counselor to work with the school faculty and staff, students, parents, and the community to plan, implement, and evaluate a comprehensive school counseling program that conforms to the most recent edition of the Texas Model for Comprehensive School Counseling Programs developed by the Texas Counseling Association.
<b>1.12</b>	Adds TEC §38.0101	<p>The section entitled “Authority to Employ or Contract with Nonphysician Mental Health Professional,” is newly added to permit a school district to employ or contract with one or more nonphysician mental health professionals. A nonphysician mental health professionals is defined as:</p> <ul style="list-style-type: none"> <li>• a psychologist licensed to practice in this state and designated as a health-service provider;</li> <li>• a registered nurse with a master’s or doctoral degree in psychiatric nursing;</li> <li>• a licensed clinical social worker;</li> <li>• a professional counselor licensed to practice in this state; or</li> <li>• a marriage and family therapist licensed to practice in this state.</li> </ul>
<b>1.13</b>	Amends TEC §38.013(a)	<p>Coordinated health programs are now required to provide for coordinating education and services related to:</p> <ul style="list-style-type: none"> <li>• physical health education, including programs designed to prevent obesity, cardiovascular disease, oral diseases, and Type 2 diabetes and programs designed to promote the role of proper nutrition;</li> <li>• mental health education, including education about mental health conditions, mental health well-being, skills to manage emotions, establishing and maintaining positive relationships and responsible decision-making; and</li> <li>• substance abuse education, including education about alcohol abuse, prescription drug abuse, and abuse of other controlled substances.</li> </ul>

<b>1.14</b>	Amends TEC §38.016(a)	"Nonphysician mental health professional" has the meaning assigned by Section 38.0101. TEC §38.016(a) is amended to establish that a school district employee, or an employee of an entity with which the district contracts, who is a registered nurse, advanced nurse practitioner, physician, or nonphysician mental health professional licensed or certified to practice in this state would not be prohibited from recommending that a child be evaluated by a physician or nonphysician mental health professional.
<b>1.15</b>	Amends TEC §38.051(b)	On the recommendation of an advisory council established under TEC §38.058 or on the initiative of the board of trustees or the governing body of an open-enrollment charter school, a school district or open-enrollment charter school may now establish a school-based health center at one or more campuses to meet the health care needs of students and their families.
<b>1.16</b>	Amends TEC §38.054	TEC §38.054 includes a list of permissible categories of services. This section adds treatment for mental health conditions and treatment for substance abuse to the list of permissible categories of services.
<b>1.17</b>	Amends TEC §38.057(b)	Existing law established that if it is determined that a student needs a referral for mental health services, the staff of a school-based health center must notify the person whose consent is required verbally and in writing of the basis for the referral. This section adds physical health services to this requirement. This section also establishes that a referral may not be provided unless the person provides written consent for the type of service to be provided and provides specific written consent for each treatment occasion or for a course of treatment that includes multiple treatment occasions of the same type of service.
<b>1.18</b>	Amends TEC §38.058	<p>This section adds open-enrollment charter schools to the provision allowing the establishment and appointment of members to a local health education and health care advisory council to make recommendations to the district or school on the establishment of school-based health centers and to assist the district or school in ensuring that local community values are reflected in the operation of each center and in the provision of health education.</p> <p>Existing law required appointments of at least one person from a specific list of individuals. This section now specifies that teachers must be classroom teachers and adds school counselors and health care professionals licensed or certified to practice in this state.</p>
<b>1.19</b>	Adds TEC §38.0591	The new section entitled "Access to Mental Health Services" requires TEA, in cooperation with the Health and Human Services Commission, to develop guidelines for school districts regarding partnering with a local mental health authority and with community or other private mental health services providers and substance abuse services providers to increase student access to mental health services; and obtaining mental health services through the medical assistance program under the Human Resources Code.
<b>1.20</b>	Amends TEC §38.060(c)	This section amends TEC §38.060(c) to require a school district or open-enrollment charter school, rather than the Health Education and Health Care Advisory Council, to keep a record of efforts made to coordinate with existing providers.
<b>1.21</b>	Adds TEC §38.352  (previously Health and Safety Code §161.326)	<p>This section transfers current Health and Safety Code, Subchapter O-1 to Chapter 38 of the Texas Education Code. The subchapter is reenacted as Subchapter Gand amended. Health and Safety Code §161.325 is now TEC §38.351, and references to the Department of State Health Services are changed to TEA.</p> <p>Existing law required the development of a list of recommended best practice-based programs and research-based practices including programs and practices in several</p>

		<p>areas. This section amends the list to remove mental health promotion; substance abuse intervention; trauma-informed practices; and building skills related to managing emotions, establishing and maintaining positive relationships, responsible decision-making, positive behavior interventions and supports, suicide prevention-intervention-postventions, and a safe, supportive, and positive school climate.</p> <p>This section removes the requirement that TEA, the Department of State Health Services, and regional education service centers make the list easily available on their websites.</p> <p>This section establishes that suicide prevention the list must include components that provide for training to recognize students at risk of attempting suicide rather than at risk of committing suicide. This section also requires suicide program programs on the lists to assist students in returning to school following treatment of a mental health concern or suicide attempt.</p> <p>Districts were permitted under existing law to develop practices and procedures concerning each area on the list of recommended best practice-based programs and research- based practices. New law now requires districts to develop practices and procedures. The practices and procedures are now permitted to address multiple areas together.</p> <p>TEA is required to develop and make available to school districts guiding principles on the coordination of programs and practices in areas on the list. TEA, Health and Human Services Commission, and each regional education service center are permitted to accept donations for purposes of this section from sources without a conflict of interest but are not be permitted to accept donations from an anonymous source.</p>
<p><b>2.01</b></p>	<p>Amends Health and Safety Code §1001.205</p>	<p>Texas Health and Safety Code §1001.205 requires, not later than September 30 of each year, a local mental health authority to provide to the department the number of employees and contractors of the authority who were trained as mental health first aid trainers under Section 1001.202 during the preceding fiscal year. This section adds a requirement that a local mental health authority report the number of trainers who left the program for any reason during the preceding fiscal year, and the number of active trainers. A local mental health authority must report the number of university employees, school district employees, and school resource officers who completed a mental health first aid training program offered by the authority under Section 1001.203 during the preceding fiscal year. HB 18 requires that this information be categorized by local mental health authority region, university or school district, as applicable, and category of personnel.</p> <p>The Department of State Health Services is required to compile the additional information and would be required to include a detailed accounting of expenditures of money appropriated for the purpose of implementing this subchapter when it reports to the legislature.</p> <p>The Department of State Health Services is required to develop and provide to local mental health authorities form to be used for the reporting of information required under Subsection (a), including the reporting of each category of personnel described by that subsection.</p>

<b>2.02</b>	Adds Health and Safety Code Chapter 1001, Subchapter H, §1001.207	<p>This section requires the HHSC to make available on its official website information about the mental health first aid training program for the purpose of promoting public awareness of the program.</p> <p>TEA is required make available on its official website information about the mental health first aid training program for the purpose of promoting public awareness of the program.</p>
<b>3.01</b>	Civil Practice and Remedies Code §74.151(e).	This section makes conforming changes.
<b>3.02</b>	Amends TEC §38.0141(a)	TEC §38.0141(a) requires each school district to provide to the agency information as required by the Commissioner, including statistics and data, relating to student health and physical activity and information described by Section 28.004(k).
<b>4.01</b>	Repeals TEC §21.463 TEC §28.002(w)	<p>This section repeals the following provisions of the TEC:</p> <p>TEC §21.463 required TEA, in coordination with the HHSC, to establish and maintain a website to provide resources for teachers who teach students with special health needs.</p> <p>TEC §28.002(w) required the State Board of Education, in adopting the essential knowledge and skills for the health curriculum, to adopt essential knowledge and skills that address the dangers, causes, consequences, signs, symptoms, and treatment of nonmedical use of prescription drugs and required TEA to compile a list of evidence-based prescription drug misuse awareness programs from which a school district might choose to use in the district's middle school, junior high school, and high school health curriculums.</p>
<b>4.02</b>	N/A	<p>This section requires the State Board for Educator Certification to propose rules under TEC §21.054, not later than May 1, 2020, to comply with the changes in law made to that section by this Act.</p> <p>TEA, in cooperation with the HHSC, is required to develop the guidelines required by TEC §38.0591, as added by this Act.</p> <p>Not later than August 1, 2020, TEA, in coordination with the Health and Human Services Commission and regional education service centers, is required to provide a list of recommended best practice-based programs as required by TEC §38.351, as transferred, redesignated, reenacted, and amended by this Act.</p>
<b>4.03</b>	N/A	This section establishes that any change in law made by this Act that imposes a new duty or requirement on a school district or an open-enrollment charter school applies beginning with the 2020-2021 school year.
<b>4.04</b>	N/A	This section establishes that Health and Safety Code §1001.205(a), as amended by this Act, would only apply to a report due under that subsection after December 31, 2019. A report due under that subsection before that date is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

		<p>Health and Safety Code §1001.205(b), as amended by this Act, applies only to a report due under that subsection after March 1, 2020. A report due under that subsection before that date is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.</p> <p>Not later than May 1, 2020, the Health and Human Services Commission is required to prescribe a form for the report required of a local mental health authority under Health and Safety Code §1001.205(a), as amended by this Act, that includes categories of personnel to be reported.</p>
<b>4.05</b>	N/A	This section requires that, not later than March 1, 2020, the Health and Human Services Commission and TEA update their websites to include the information required by Health and Safety Code §1001.207, as added by this Act.

**Effective Date:** December 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The State Board of Education is required to amend rules for the Health Education Texas Essential Knowledge and Skills. The State Board of Educator Certification must amend rule-text in Title 19, Texas Administrative Code (TAC), Chapter 228 "Requirements for Educator Preparation" and 19 TAC Chapter 232, "General Certification Provisions." Provisions in Chapter 232 must be amended based on the amended text in TEC Chapter 21 not later than May 1, 2020. Commissioner rules will be amended related to required training by districts in TAC Chapter 153.

**Summary of IT and Data Implications:**

Local education agencies (LEAs) will report through the Texas Student Data System (TSDS) the number of times during the preceding year the district's school health advisory council has met, whether the district has adopted and enforces policies to ensure that district campuses comply with agency vending machine and food service guidelines for restricting student access to vending machines, and whether the district has adopted and enforces policies and procedures that prescribe penalties for the use of e-cigarettes, as defined by TEC §38.006, and tobacco products by students and others on school campuses or at school-sponsored or school-related activities. Additionally, new service IDs will be added to enable LEAs to report any new courses developed under the new health curriculum requirements and to report staff duties for non-teaching staff. Service IDs may need to be removed for courses that are no longer offered. New Role IDs will be added to the ROLE-ID code table. These IT changes will be incorporated in the 2020-2021 school year.



# HB 19

Author: Price, Four  
Sponsor: Watson, Kirk

**Bill Summary:** House Bill 19 describes how regional education service centers (ESCs) and local mental health authorities are intended to collaborate for provision of mental health services.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Chapter 8, TEC by adding Subchapter F: §§8.151-8.158	<p>“Local mental health authority” (LMHA) and “non-physician mental health professional” are defined.</p> <p>This section requires LMHAs to employ a non-physician mental health professional to serve as a mental health and substance use resource for school districts located within the region it serves. The professional will serve school districts out of the ESC located within the LMHA service region. In making hiring decisions, the LMHA must consult with other LHMAAs providing services in that region and consult with the ESC.</p> <p>Each ESC must provide a professional space for the non-physician mental health professional to carry out their duties. The LMHA must pay the ESC a reasonable, negotiated cost-recovery free for providing the administrative support for the professional. This cost-recovery fee may not exceed \$15,000 per year unless the ESC and the LMHA agree to a higher amount in their memorandum of understanding (MOU).</p> <p>The LMHA must supervise the professional and consult with other LMHAs in the region and the ESC for input on supervising the professional.</p> <p>The professional must work collaboratively with the ESC to act as a resource for school district personnel by helping personnel gain awareness and understanding of mental health and co-occurring mental health and substance use disorders; assist personnel to implement mental health or substance use initiatives required under state law, agency rule, interagency MOUs, and related programs; ensure that personnel are aware of best practices; and ensure personnel are aware of public and private mental health and substance use prevention, treatment, and recovery programs provided by the LMHA, private mental health providers, or the Health and Human Services Commission (HHSC).</p> <p>The ESC and professional must facilitate monthly mental health first aid training, facilitate monthly training regarding the effects of grief and trauma and providing support to children with intellectual or developmental disabilities who suffer from grief or trauma, and facilitate monthly trainings on prevention and intervention programs for substance use.</p> <p>The non-physician mental health professional may not treat or provide counseling to a student or provide specific advice to school district personnel regarding a student.</p> <p>A school district is not required to participate in any trainings provided under this subchapter.</p>

		<p>The state agency to which money is appropriated to carry out this subchapter must ensure funds are distributed equally among LMHAs.</p> <p>Each LMHA must submit a report to HHSC regarding the outcomes for school districts and students resulting from services they provide. HHSC must compile the information from LMHAs and submit a report to the lieutenant governor, speaker, standing committees with jurisdiction over mental health and standing committees with jurisdiction over public education, and to TEA. TEA must be provided a reasonable opportunity to review and provide input on the contents of the report.</p>
2	N/A	<p>Provides that a local mental health authority is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require, a local mental health authority, if the legislature does not appropriate money specifically for that purpose, to implement a provision of this Act using other appropriations available for that purpose.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 41

Author: Metcalf, Will  
Sponsor: Alvarado, Carol

**Bill Summary:** House Bill 41 adds search and rescue volunteers to the law requiring leave from work for training and the law which allows for an agency or institution of higher education to grant leave from work to respond to an emergency.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Government Code §61.905	<p>A definition for “search and rescue volunteer” is added to Government Code Sec 661.905(a). This section defines that term as “individual who without remuneration, except reimbursement for expenses, provides services for or on behalf of an organization that conducts search and rescue activities.”</p> <p>The newly defined term of “search and rescue volunteer” is added to the rest of the law in Government Code Sec 661.905. This entitles a state employee who is also a “search and rescue volunteer” to miss work for training associated with being a “search and rescue volunteer” without repercussions. This also allows for a state agency or institute of higher education to grant leave to a “search and rescue volunteer” to respond to a “search and rescue volunteer” emergency if the agency or institution has an established policy for granting that leave.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## HB 65

Author: Johnson, Eric

Sponsor: West, Royce

**Bill Summary:** House Bill 65 reflects reporting requirements regarding public school disciplinary actions taken against students through the public education information management system (PEIMS).

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §37.020	The phrase “out-of-school suspensions” is added to the heading of this section.
2	Adds TEC §37.020(f)	Subsection (f) provides that for each out-of-school suspension under TEC §37.005, a school district shall report: 1) information identifying the student, including the student's race, sex, and date of birth, that will enable TEA to compare placement data with information collected through other reports; 2) information indicating the basis for the suspension; 3) the number of full or partial days the student was suspended; and 4) the number of out-of-school suspensions that were inconsistent with the guidelines included in the student code of conduct under TEC §37.001(a)(3).
3	N/A	The act applies to the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

The bill requires a new data element in the PEIMS collection to determine when placement inconsistencies occur with the local student code of conduct guidelines for all out-of-school suspensions.

# HB 76

Author: Huberty, Dan  
Sponsor: Alvarado, Carol

**Bill Summary:** House Bill 76 requires school districts to provide a student who is required under University Interscholastic League (UIL) rule or policy to receive a physical examination before being allowed to participate in a UIL-sponsored or sanctioned athletic activity information about sudden cardiac arrest and electrocardiogram testing and notification of the option of the student to request the administration of an electrocardiogram, in addition to the physical examination.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Analysis
1	Adds TEC §33.096	<p>This bill creates TEC §33.096, “Cardiac Assessment of High School Participants in Extracurricular Athletic Activities,” to require that school districts provide a student, who is required under UIL rule or policy to receive a physical examination before being allowed to participate in a UIL-sponsored or sanctioned athletic activity the following:</p> <ul style="list-style-type: none"><li>• Information about sudden cardiac arrest and electrocardiogram testing; and</li><li>• Notification of the option of the student to request the administration of an electrocardiogram, in addition to the physical examination.</li></ul> <p>A student is permitted to request an electrocardiogram from any appropriately licensed health care professional whose scope of practice includes the administration and review of electrocardiograms, including the student’s patient-centered medical home, a health care professional provided through a school district program, or another health care professional chosen by the parent or person standing in parental relation to the student.</p> <p>UIL is required to adopt rules to administer this legislation, which must include the following:</p> <ul style="list-style-type: none"><li>• Criteria under which a district may request an exemption from the requirements;</li><li>• Variances that allow for a delay of the implementation of the requirement to notify students to the option to receive an electrocardiogram;</li><li>• Procedures to ensure students receiving the required annual physical examination are notified of the option to receive an electrocardiogram; and</li><li>• Provisions to ensure that the requirements are minimum standards that provide a school district with the option to implement a program that exceeds the standards required by this section.</li></ul> <p>This section of the legislation does not create a cause of action or liability or a standard of care, obligation, or duty that provides a basis for a cause of action or liability.</p>
2	N/A	Section 2 establishes that this act applies beginning with the 2019-2020 school year.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 111

Author: González, Mary

Sponsor: Fallon, Pat

**Bill Summary:** House Bill 111 adds the topic of sexual abuse and other maltreatment of children with significant cognitive disabilities to the requirement that school districts and open-enrollment charter schools provide training concerning prevention techniques for and recognition of sexual abuse and other maltreatment of children.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §38.0041(c)	<p>This section adds the topic of sexual abuse and other maltreatment of children with significant cognitive disabilities to the requirement that school districts and open-enrollment charter schools provide training concerning prevention techniques for and recognition of sexual abuse and other maltreatment of children.</p> <p>Section 1 also amends Subsection (b)(1) to include in school training policies the use of resources related to sexual abuse and other maltreatment of children developed by the Commissioner of education, rather than only TEA, under §38.004.</p>
2	N/A	This bill applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 114

Author: White, James

Sponsor: Birdwell, Brian

**Bill Summary:** House Bill 114 amends the College Credit for Heroes Program to require school counselors to provide information regarding eligible post-secondary credit for veterans and military servicemembers.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §33.007	School counselors must provide information about postsecondary education to students each year the students are enrolled in high school.  TEC §33.007 now requires the information to include the availability of college credit awarded by institutions of higher education (IHE) to veterans and military service members for military experience, education, and training obtained during military service. The information must be explained to any student who is enlisted or who intends to enlist in the U.S. armed forces consistent with the College Credit for Heroes program authorized by the Texas Labor Code.
2	Adds Texas Labor Code §302.0031(h)	The Texas Workforce Commission (TWC), in cooperation with the Texas Higher Education Coordinating Board (THECB) must develop and annually make available to each school district information materials regarding the availability of college credit awarded by IHEs to veterans and military servicemembers for military experience, education, and training obtained during military service.
3	N/A	This section establishes that the bill applies beginning with the 2020-2021 school year.
4	N/A	This section establishes that TWC and THECB must make materials required under Texas Labor Code §302.0031(h) available to school districts and open-enrollment charter schools not later than September 1, 2020.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

School counselors have an additional requirement to meet regarding the College Credit for Heroes Program.

### Summary of IT and Data Implications:

None



# HB 165

Author: Bernal, Diego

Sponsor: Powell, Beverly

**Bill Summary:** House Bill 165 permits a student who is enrolled in a special education program to qualify for and earn an endorsement under the Foundation High School Program if the student meets existing requirements for an endorsement either with or without modification of the curriculum

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §28.025	<p>Under existing law, a student was permitted to earn an endorsement by successfully completing the curriculum requirements for the Foundation High School Program, earning one additional credit each in math and science and two additional elective credits, and successfully completing the curriculum requirements identified by the SBOE for one of five endorsements. Commissioner's rules in 19 Texas Administrative Code (TAC) §89.1070(c) established that a student in the Foundation High School Program who receives special education services may earn an endorsement if the student—</p> <ul style="list-style-type: none"><li>• satisfactorily completes the requirements for the Foundation High School Program as well as the additional credit requirements in math, science, and elective courses with or without modification of the curriculum,</li><li>• satisfactorily completes the curriculum requirements for an endorsement without modification of the curriculum, and</li><li>• performs satisfactorily on the required state assessments.</li></ul> <p>This bill permits a student enrolled in a special education program to earn an endorsement if the student successfully completes, with or without modifications, the curriculum requirements for the Foundation High School Program and the additional mathematics, science, and elective courses required for an endorsement. A student must successfully complete the curriculum requirements for an endorsement either without modification of the curriculum or with modification if the courses are part of a coherent sequence of coursework that is sufficiently rigorous as determined by the student's admission, review, and dismissal (ARD) committee. A student's ARD committee must determine whether a student is required to achieve satisfactory performance on the state end-of-course assessments in order to earn an endorsement.</p>
2	N/A	Section 2 establishes that the legislation applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

Commissioner of education rules will be amended in 19 TAC §89.1070 to align with this legislation.

### Summary of IT and Data Implications:

The bill allows for students in a special education program to earn endorsements that are reported on the student's transcript. TEA will update approximately 10 data validation rules.

**HB 293**  
**Author: King, Ken**  
**Sponsor: Seliger, Kel**

**Bill Summary:** House Bill 293 relates to investment training requirements for certain public school district officers. The bill exempts these financial officers from attending investment training every other year if certain conditions are met.

**Section-by-Section Analysis:**

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Government Code §2256.008	This section amends Government Code §2256.008 to add Subsection (g), which provides an exclusion from investment training requirements for: <ol style="list-style-type: none"> <li>(1) the investment officer of a school district who does not invest district funds as applicable or only deposits those funds in interest-bearing deposit accounts or certificates of deposit as authorized by §2256.010; and</li> <li>(2) the treasurer, chief financial officer, or investment officer annually submits to the agency a sworn affidavit identifying the applicable criteria under Subdivision (1) that apply to the district.</li> </ol>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**  
 None

**Summary of IT and Data Implications:**  
 Districts must submit a sworn affidavit annually that identifies compliance with the law.

# HB 305

Author: Paul, Dennis

Sponsor: Nelson, Jane

**Bill Summary:** House Bill 305 impacts school districts by adding certain information that must be posted on the website of a political subdivision with taxing authority.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Government Code §2051, Subchapter E	Government Code Subchapter E applies only to political subdivisions with taxing authority, such as school districts. A political subdivision must maintain the following information on its public website: <ol style="list-style-type: none"><li>1) The subdivision's contact information;</li><li>2) Elected officers;</li><li>3) The date and location of the next election for officers;</li><li>4) Requirements and deadlines for filing for candidacy;</li><li>5) Each notice of a meeting of the subdivision's governing body; and</li><li>6) Each record of a meeting.</li></ol> This section does not apply to a school district with a population of less than 5,000 in the district's boundaries and located within a county with a population of less than 25,000.
3	N/A	This bill applies only to meetings after the effective date of this act.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## HB 330

Author: VanDeaver, Gary

Sponsor: Hughes, Bryan

**Bill Summary:** House Bill 330 increases the number of students excluded from state dropout and completion rates. The bill requires the exclusion of students who have suffered a condition, injury, or illness that requires substantial medical care and leaves the student unable to attend school and assigned to a medical or residential treatment facility.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §39.053(g-1)	Under this section, the state dropout and completion rates will exclude students who have suffered a condition, injury, or illness that requires substantial medical care and leaves the student: a) unable to attend school; and b) assigned to a medical or residential treatment facility.
2	N/A	This Act applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

Schools must begin tracking students who are unable to attend school because they have suffered a condition, injury, or illness and require substantial medical care and are assigned to a medical or residential treatment facility. Local education agencies must report these students in order to benefit from the exemptions in this legislation.

# HB 391

Author: Blanco, César  
Sponsor: Zaffirini, Judith

**Bill Summary:** House Bill 391 requires a school district to provide a print copy of an electronic textbook upon request of a parent.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §26.006	<p>Previously, statute entitled a parent to request that a school district or open-enrollment charter allow a student to take home any instructional materials used by the student and requires the district or charter school to honor the request subject to the availability of the instructional materials. This bill adds a requirement that a school district or open-enrollment charter school provide instructional materials in a printed format to a student who does not have reliable access to technology at home to access a digital copy.</p> <p>School districts and open-enrollment charter schools are not required to purchase printed copies of instructional materials that they would not otherwise purchase. They can comply with the requirement by providing a student a printout of the relevant electronic instructional materials.</p>
2	N/A	Section 2 specifies that the change applies beginning with the 2019–2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

## Summary of IT and Data Implications:

Districts would be required to report to the agency their denial of a request for a printed book and the reason for that denial. A school district or charter school is required to provide instructional materials in a printed format to a student who does not have reliable access to technology at home to access a digital copy. Additionally, the bill requires a school district or open-enrollment charter school to document each parental request that is denied along with the reason for the denial and to report that information to TEA not later than 30 days after the request is made.

# HB 396

Author: VanDeaver, Gary

Sponsor: Hughes, Bryan

**Bill Summary:** House Bill 396 expands allowable expenditures under the technology and instructional materials fund.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §31.021(c)	This section strikes “intrastate” from TEC §31.021(c), thus establishing that the state will pay all instructional material shipping expenses rather than just in-state expenses.
2	Adds TEC §31.0211(c)(1)(J)	The bill adds TEC, §31.0211(c)(1)(J) to allow districts and charter schools to use their technology and instructional materials allotment to pay for inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of the instructional materials.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

Commissioner rules in 19 Texas Administrative Code Chapter 66 related to the allowable allotment expenditures will be amended to align with changes to the statute.

### Summary of IT and Data Implications:

None

## HB 403

Author: Thompson, Senfronia

Sponsor: Huffman, Joan

**Bill Summary:** House Bill 403 affects training requirements for members of the board of trustees (school board) and continuing education to require training on the identification and reporting of child sexual abuse and maltreatment, including human trafficking. Additionally, the bill adds continuing education requirements for superintendents on identifying and reporting child abuse, including human trafficking.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §11.159	<p>In addition to the three hours of training on student academic performance that is required, the State Board of Education (SBOE) shall also require a trustee to complete, every two years, one hour of training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children.</p> <p>A candidate make take the training up to one year before elected, a new trustee must take within 120 days of being elected or appointed, and returning trustees must complete within by second anniversary of the previous training,</p> <p>Maltreatment is defined in subsection (e) as having the meaning assigned by Human Resources Code §42.002.</p>
2	Adds TEC §21.054(h)	<p>This section adds to the continuing education requirements for superintendents identifying and reporting potential victims of sexual abuse, human trafficking, and maltreatment of children as specified in Human Resources Code, §42.002. This must include 2.5 hours of training every five years.</p>
3	N/A	<p>A superintendent subject to continuing education requirements immediately before the effective date is not required to comply with the continuing education requirements as added by this Act for any continuing education requirements period that ends before January 1, 2021.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

This bill requires a change to trustee training requirements. An amendment to 19 Texas Administrative Code (TAC) Chapter 61 will support implementation of the training requirement.

This bill requires a change to superintendent training requirements. An amendment to 19 TAC Chapter 242 will support implementation of the training requirements.

### Summary of IT and Data Implications:

None

## HB 440

Author: Murphy, Jim  
Sponsor: Lucio, Jr., Eddie

**Bill Summary:** House Bill 440 requires political subdivisions that call for bond elections to publish sample ballots on their websites. The bill prohibits the issuance of bonds to make improvements or purchase personal property under certain conditions. The bill restricts the use of unspent proceeds of bonds, and it adds requirements to bond election orders and notices of election. This bill will affect all bonds issued by school districts, including bonds issued under Texas Education Code, Chapter 45.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §45.1105	School districts are limited to spend any unspent proceeds of general obligation bonds to: 1) the specific purposes that authorized the bonds; 2) retire the bonds; and 3) for other purposes, upon approval of a school district board during a public meeting, if the bond purposes are accomplished or abandoned.
2	Amends Election Code §4.003(f)(3)	Section 2 requires political subdivisions that call for a debt obligation election (relating to public securities that are secured by ad valorem taxes) to publish a sample ballot on their website for at least 21 days prior to the election. This is in addition to an existing obligation to publish the notice of the election, and the contents of the proposition that must be posted on their website in the same manner.
3	Adds Government Code Chapter 1253	<p>This Chapter includes new §1253.001 of the Government Code which defines political subdivision for purposes of the new chapter. The definition includes a school district. This Chapter also includes new §1253.002 that would limit the authority to issue new general obligation bonds to purchase, improve, or construct improvements or to purchase personal property or to do both, if the weighted average maturity of the issue of bonds exceeds 120 percent of the reasonably expected weighted average economic life of the improvements or personal property financed with the issue of bonds. This section also defines improvement and personal property by referring to definitions in the Tax Code.</p> <p>The new Government Code §1253.003 limits the use of unspent proceeds by a political subdivision, other than a school district, from a bond issuance for either the purpose specified for the initial issuance of the bonds, to retire the bonds, or to use for another purpose, but only if that other purpose is approved by the voters in an election held by the political subdivision where the new purpose is stated in the election order and notice and the election is conducted in the same manner as the election to make an original issuance.</p>
4	Repeals Chapter 1332 of the Government Code	Section 4 of the bill repeals Chapter 1332 of the Government Code, regarding the use of municipal bond proceeds for another purpose.
5	N/A	Section 5 of the bill makes the provisions in new §1253.002 of the Government Code applicable only to bonds authorized to be issued after the effective date of this act, which is September 1, 2019.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None



**Summary of IT and Data Implications:**  
None

## HB 446

Author: Moody, Joe

Sponsor: Perry, Charles

**Bill Summary:** House Bill 446 removes carrying a club as an offense under the Texas Penal Code. In addition, knuckles are no longer listed as one of the prohibited weapons defined in §46.05, Penal Code.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Penal Code §46.02(a)	It is no longer an offence under §46.02 of the Texas Penal Code to carry a club as defined by §46.01(1), Penal Code.
2	Amends Penal Code §46.05(a)	Knuckles, as defined by §46.01(8) of the Texas Penal Code, are no longer listed as one of the prohibited weapons defined in §46.05, Penal Code.
3	Amends Penal Code §46.15(d) and (g)	Section 3 provides that provisions prohibiting the carrying of a firearm, rather than the carrying of a firearm or a club, do not apply to a public security officer. Conforming amendments are also made to remove carrying or possessing a club as it pertains to certified animal control officers.
4	Repealers	Section 4 repeals §46.01(8) (relating to the definition of knuckles) and §46.15(c) (relating to the definition of nonviolent restraints).
5	N/A	An offense that was committed before September 1, 2019 if any element of the offence occurred before that date.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

Changes related to HB 446 will be reflected in the 2020-2021 Texas Education Data Standards.

## HB 477

Author: Murphy, Jim

Sponsor: Bettencourt, Paul

**Bill Summary:** House Bill 477 provides for notice and ballot requirements related to school district bonds secured by and payable from ad valorem taxes.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Election Code §3.009	<p>Section 1 of the bill amends Election Code (EC) §3.009(a) to change the definition of “debt obligation” (i.e., a bond) to mean bonds secured by and payable from ad valorem taxes. The definition now excludes bonds that are fiscally self-supporting.</p> <p>§3.009(b) is also amended to reflect new bond election order requirements, as follows: 1) the inclusion of statements that taxes will be sufficient to pay principal and interest of bonds as a whole, rather than on an annual basis; 2) the maximum bond maturity date is changed from 40 years to the maximum authorized by law; 3) noting the outstanding principal and interest on all bonds issued by a political subdivision as of the date the bond election is ordered, rather than the fiscal year; and 4) for aggregate outstanding bond interest, the amount must be based on expectations relative to variable rate debt obligations.</p>
2	Amends TEC §52.072	<p>The bill amends §52.072(e) to streamline the notice requirements to apply to tax propositions, rather than just bond propositions. §52.072 (f) is added to refer to bond notice requirements in the new Subchapter B of Government Chapter 1251.</p>
4	Adds Government Code Chapter 1251, Subchapter B	<p>Chapter 1251, Subchapter B defines “debt obligation” as a public security, as defined by Government Code, Section 1201.002, secured by and payable from ad valorem taxes. The term does not include public securities that are designated as self-supporting by the political subdivision issuing the securities. “Debt obligation election order” is defined as the order, ordinance, or resolution ordering an election to authorize the issuance of debt obligations, and “political subdivision” is defined as a municipality, county, school district, or special taxing district.</p> <p>§1251.052(a) provides that the ballot for a measure seeking voter approval of the issuance of debt obligations by a political subdivision must state: (1) a general description of the purposes for which the debt obligations are to be authorized; (2) the total principal amount of the debt obligations to be authorized; (3) that taxes sufficient to pay the principal of and interest on the debt obligations will be imposed; and 4) the annual maximum homestead tax increase.</p> <p>§1251.052(b) requires that a political subdivision must prepare and post a vote information document for bond elections.</p> <p>§1251.052(c) requires that the governing body of a political subdivision must identify in the debt obligation election order the major assumptions made in connection with the statement required by Subsection (b), including: (1) the amortization of the political subdivision's debt obligations, including outstanding debt obligations and the proposed debt obligations; (2) changes in estimated future appraised values within the political subdivision; and (3) the assumed interest rate on the proposed debt obligations.</p>

		<p>§1251.052(d) provides that a political subdivision that maintains a website must provide the information described by Subsection (b) on its website in an easily accessible manner beginning not later than the 21st day before election day and ending on the day after the date of the debt obligation election.</p> <p>§1251.052(e) states that §1251.052 provides the ballot proposition language for an election to authorize the issuance of debt obligations by a political subdivision and, to the extent of a conflict between this section and another law, the section controls.</p>
5	Amends Local Government Code §271.049	<p>Section 5 amends Local Government Code §271.049(a) to increase the certificate of obligation issuance newspaper notices from 30 to 45 days and requires posting of such notices on a website, if a website is maintained by a political subdivision.</p> <p>§271.049(b) is amended to require the following in certificate of obligation notices: 1) the then-current principal of all outstanding debt obligations of the issuer; 2) the then-current combined principal and interest required to pay all outstanding debt obligations of the issuer on time and in full, which may be based on the issuer's expectations relative to the interest due on any variable rate debt obligations; 3) the maximum principal amount of the certificates to be authorized; and 4) the estimated combined principal and interest required to pay the certificates to be authorized on time and in full; (5) the estimated interest rate for the certificates to be authorized or that the maximum interest rate for the certificates may not exceed the maximum legal interest rate; (6) the maximum maturity date of the certificates to be authorized; and 7) the purpose, rather than also the maximum amount, of the certificates.</p> <p>§271.049(e) is added to define “debt obligation” as it is defined in Government Code §1201.002 and provides that fiscally self-supporting bonds are not included in the definition.</p>
6	Repeals Government Code §1251.002	The section regarding bond proposition content is repealed.
7	N/A	Section 7 of the bill states that the bill applies 1) to election ballots ordered on or after the effective date of the bill; and 2) to certificates of obligation issued on or after the effective date of the bill.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## HB 496

Author: Gervin-Hawkins, Barbara

Sponsor: Lucio, Jr., Eddie

**Bill Summary:** House Bill 496 requires school districts and open-enrollment charter schools to develop, and annually make available, a protocol for school employees and volunteers to follow in the event of traumatic injury.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §38.030	<p>This legislation adds new TEC §38.030 requiring school districts and open-enrollment charter schools to develop and annually make available a protocol for school employees and volunteers to follow in the event of traumatic injury.</p> <p>The protocol must</p> <ul style="list-style-type: none"> <li>• provide for a school district or open-enrollment charter school to maintain and make available to school employees and volunteers bleeding control stations for use in the event of a traumatic injury involving blood loss;</li> <li>• ensure that bleeding control stations are stored in easily accessible areas of the campus that are selected by the district’s school safety and security committee or the charter school’s governing body;</li> <li>• require that agency-approved training on the use of a bleeding control station in the event of an injury to another person be provided to:               <ul style="list-style-type: none"> <li>○ each commissioned school district peace officer or school security personnel who provides security services at the campus;</li> <li>○ each school resource officer who provides law enforcement at the campus; and</li> <li>○ all other district or school personnel who may be reasonably expected to use a bleeding control station; and</li> </ul> </li> <li>• require the district or charter school to annually offer instruction on the use of a bleeding control station from a school resource officer or other appropriate district or school personnel who has received the training to students enrolled at the campus in grade seven or higher.</li> </ul> <p>A district’s school safety and security committee or charter school governing body may select, as easily accessible areas of the campus at which bleeding control stations may be stored, areas of the campus where automated external defibrillators are stored.</p> <p>A bleeding control station must include the following supplies in the quantities determined by the superintendent or director:</p> <ul style="list-style-type: none"> <li>• tourniquets approved for use in battlefield trauma care by the armed forces of the United States</li> <li>• chest seals</li> <li>• compression bandages</li> <li>• bleeding control bandages</li> <li>• space emergency blankets</li> <li>• latex-free gloves</li> <li>• markers</li> <li>• scissors</li> </ul>

		<ul style="list-style-type: none"><li>• instructional documents developed by the American College of Surgeons or the U.S. Department of Homeland Security detailing methods to prevent blood loss following a traumatic event.</li></ul> <p>In addition to the required items, a school district or open-enrollment charter school may also include in a bleeding control station any medical material or equipment that may be readily stored in a bleeding control station, may be used to adequately treat an injury involving traumatic blood loss, and is approved by local law enforcement or emergency medical services personal.</p> <p>To satisfy the training requirement, the agency shall approve a course of instruction that has been developed or endorsed by the American College of Surgeons or a similar organization or the emergency medicine department of a health-related institution of higher education or a hospital. The course of instruction may not be provided as an online course and would be required to use nationally recognized, evidence-based guidelines for bleeding control. The course of instruction must also incorporate instruction on the psychomotor skills necessary to use a bleeding control station in the event of an injury to another person, including instruction on proper chest seal placement. The course of instruction may be provided by emergency medical technicians, paramedics, law enforcement officers, firefighters, representatives of the organization or institution that developed or endorsed the training, educators, other public school employees, or other similarly qualified individuals. A course of instruction would not be required to provide for certification in bleeding control. If the course of instruction does provide for certification in bleeding control, the instructor must be authorized to provide the instruction for the purpose of certification by the organization or institution that developed or endorsed the course of instruction.</p> <p>A school district or open-enrollment charter school and the employees of the district or school are immune from civil liability from damages or injuries resulting from the good faith use of a bleeding control station by an employee of the district or school to control the bleeding of an injured person, provided that the employee received the required training and did not act with gross negligence in the use of the bleeding control station.</p> <p>The good faith use of a bleeding control station by a school district or open-enrollment charter school employee to control the bleeding of an injured person is incident to or within the scope of the duties of the employee's position of employment and involves the exercise of judgment or discretion on the part of the employee, and a school district or open-enrollment charter school and the employees of the district or school are immune from civil liability, from damages or injuries resulting from that good faith use of a bleeding control station. A school district or open-enrollment charter school volunteer is immune from civil liability from damages or injuries resulting from the good faith use of a bleeding control station to the same extent as a professional employee of the district or school.</p> <p>Nothing in this section limits the immunity from liability of a school district, open-enrollment charter school, or district or school employee or volunteer under:</p> <ol style="list-style-type: none"><li>(1) TEC §22.0511 and §22.053;</li><li>(2) Civil Practice and Remedies Code §101.051; or</li><li>(3) any other applicable law.</li></ol>
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		This section does not create a cause of action against a school district or open-enrollment charter school or the employees or volunteers of the district or school.
2	N/A	<p>This section establishes that not later than October 1, 2019, TEA must to approve training in the use of a bleeding control station that is appropriate to satisfy the training required by this act.</p> <p>As soon as practicable after the effective date of this Act, and not later than January 1, 2020, each school district and open-enrollment charter school must develop and implement the bleeding control station program as added by this act.</p>

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

TEA must approve training in the use of a bleeding control station that is appropriate to satisfy the training requirements of this act.

**Summary of IT and Data Implications:**

None

## HB 548

Author: Canales, Terry

Sponsor: Lucio, Jr., Eddie

**Bill Summary:** House Bill 548 requires data gathering on language acquisition of deaf and hard of hearing students from ages 0-8. TEA, the Health and Human Services Commission’s Division of Early Childhood Intervention (HHSC/ECI), and the Educational Resource Center on Deafness (ERCOD) will jointly identify language assessment protocols used by teachers of the deaf and hard of hearing to collect student level data which would be reported on TEA’s, the division’s, and the center’s respective internet sites. The data gathered will be monitored annually to determine if there is a language delay and enable the use of timely interventions that support age-appropriate language skills.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
<b>1(a)</b>	Adds TEC §29.316(a)	The purpose of this act is to generate and monitor data on the language acquisition of children ages eight years old and younger who are deaf or hard of hearing. This section defines the terms “center,” “division,” and “language acquisitions.”
<b>1(b)</b>	Adds TEC §29.316(b)	This section requires TEA and HHSC to jointly ensure that each child ages 0-8 who is deaf or hard of hearing is regularly assessed using a valid and reliable assessment tool as specified in Subsection (d).
<b>1(c)</b>	Adds TEC §29.316(c)	<p>This section requires TEA, HHSC/ECI, and ERCOD to jointly prepare a statewide report on language acquisition of children 0-8 who are deaf and hard of hearing and post on respective internet sites by August 31<sup>st</sup> of each year.</p> <p>The report must include existing data reported in compliance with federal law regarding children with disabilities and information relating to the language acquisition of children who are deaf or hard of hearing and also have other disabilities.</p> <p>The report must also state for each child the following:</p> <ol style="list-style-type: none"> <li>a. The instructional arrangement used with the child (TEC Section 42.151) including the time the child spends in a mainstream instructional arrangement;</li> <li>b. The specific language acquisition services provided to the child including the time spent providing those services and a description of any hearing amplification used in the delivery of those services in addition to the type of hearing amplification used, the period of time the child had access to the hearing amplification, and the average amount of time the hearing amplification is used each day.</li> <li>c. The tools or assessment used to assess the child’s language acquisition and the results obtained</li> <li>d. The preferred unique communication mode used by the child at home; and</li> <li>e. The child’s age, race, and gender, the age at which the child was identified as being deaf or hard of hearing, and any other relevant demographic information deemed appropriate by the Commissioner.</li> </ol> <p>The report must compare the progress of children who are deaf or hard of hearing to the progress of same age peers who are not deaf or hard of hearing in English literacy. The report must comply with state and federal laws regarding confidentiality.</p>
<b>1(d)</b>	Adds TEC §29.316(d)	This section requires TEA, HHSC/ECI, and ERCOD to enter in a memorandum of understanding (MOU) regarding the identification of experts in deaf education, and the determination of tools



		considered valid and reliable for assessing language acquisition of children ages 0-8 who are deaf or hard of hearing.
<b>1(e)</b>	Adds TEC §29.316(e)	TEA must use existing collected data and data transferred from HHSC as agreed upon in an MOU for the required report.
<b>1(f)</b>	Adds TEC §29.316(f)	TEA and HHSC must jointly adopt rules necessary for implementing §29.316, including rules for: <ul style="list-style-type: none"> <li>a. assigning a unique identification number for reporting purposes for each child 0-8 who is deaf and hard of hearing; and</li> <li>b. implementation of this section.</li> </ul>
<b>2</b>	Adds TEC §42.006(a-6)	This section requires local education agencies to report through the Public Education Information Management System (PEIMS) at a campus and grade level, the: <ul style="list-style-type: none"> <li>• number of children who are required to attend school under Section 25.085, are not exempted under Section 25.086 and fail to attend without excuse for 10 or more days or parts of days within a six-month period of the same school year</li> <li>• number of students for whom the district initiates a truancy prevention measure under TEC 25.0915 (a-4)</li> <li>• number of parents of students against whom an attendance officer or other school official has filed a complaint under TEC 25.093 (PARENT CONTRIBUTING TO NONATTENDANCE)</li> </ul>
<b>3</b>	N/A	The Commissioner, the executive commissioner of HHSC and the Educational Resource Center on Deafness (the Center) jointly shall determine the tools and assessments that are valid and reliable for use in assessing the language acquisition of children eight years of age or younger who are deaf or hard of hearing by December 1, 2019.  TEA, HHSC and the Center shall prepare and post the initial report on their respective websites by December 1, 2020.
<b>4</b>	N/A	This section states that TEA and HHSC are required to implement newly add TEC §29.316 only if the legislature appropriates funds specifically for that purpose.
<b>5</b>	N/A	Not later than January 1, 2020, the Commissioner shall adopt rules required by Section 42.006(a-6), Education Code, as added by this Act.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

TEA and HHSC must jointly adopt rules in accordance with TEC §29.316(f). The rules must include assigning a unique identification number for reporting purposes for each child 0-8 who is deaf and hard of hearing. Furthermore, the Commissioner or education must adopt rules to implement TEC §42.006(a-6) no later than January 1, 2020.

TEA will jointly work with HHSC ECI and ERCOD to include various stakeholders to determine the types of assessments and milestones for deaf and hard of hearing students ages 0-8 to be assessed on language acquisition which may closely resemble and advisory panel.

Local districts will be impacted by additional data reporting requirements; training on any newly determined assessment or tool deemed appropriate under section (b); and additional documentation for reporting requirements regarding the specific language acquisition services provided to the child and related components included in section (c)(2)(B)-(E).

**Summary of IT and Data Implications:**

This bill adds new data reporting requirements. New data elements will be created for local education agencies to report the following:

- The number of children who are required to attend school, are not exempt, and do not attend without excuse for 10 or more days or parts of days within a six-month period of a school year but fail to do so;
- The number of students for whom the district initiates a truancy prevention measure under TEC §25.0915(a-4); and
- The number of parents of students against whom an attendance officer or other school official has filed a complaint under TEC §25.093.

# HB 638

Author: Capriglione, Giovanni

Sponsor: Powell, Beverly

**Bill Summary:** House Bill 638 requires school districts, at the request of the student's parent, to issue a posthumous high school diploma to any student who has died while enrolled in the school district.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §28.0254	<p>Previously, TEC §28.0254 required school districts, at the request of a student's parent, to issue a posthumous diploma to each student who died while enrolled in grade 12, provided the student was academically on track to receive a high school diploma when the student died.</p> <p>This legislation requires that districts issue a diploma to any student, regardless of enrolled grade and regardless of whether the student was academically on track to receive a high school diploma, who died while enrolled in the district. The diploma must be issued in the school year the student was expected to graduate and cannot be issued before the graduation date of the class in which the student was enrolled at the time of death.</p>
2	N/A	This section establishes that the legislation applies beginning with students who would have graduated at the end of the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 674

Author: Patterson, Jared

Sponsor: Fallon, Pat

**Bill Summary:** House Bill 674 adds language and data collection requirements to the regional education service center (ESC) client satisfaction survey.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §8.103	The Commissioner must solicit from each school district information regarding their reliance on their ESC for assistance in complying with state education laws and rules, and any state education laws or rules that districts consider for compliance purposes the most burdensome and expensive.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

The ESC client satisfaction survey will be updated to include question that reflect the requirements of this legislation.

### Summary of IT and Data Implications:

None

# HB 678

Author: Guillen, Ryan

Sponsor: Powell, Beverly

**Bill Summary:** House Bill 678 allows elementary school students to earn one high school credit toward the languages other than English graduation requirement by successfully completing a course in American Sign Language (ASL).

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §28.025(b-21)	Existing statute allows students to earn one high school credit toward the languages other than English graduation requirement by successfully completing a dual language immersion program in elementary school. This bill expands the opportunity to allow students to earn credit by successfully completing an ASL course while in elementary school.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

The bill specifically states that the State Board of Education (SBOE) should adopt criteria to allow a student to comply with the curriculum requirement for one credit under Subsection (b-1)(5) by successfully completing at an elementary school either a dual language immersion program under Section 28.0051 or a course in ASL. The SBOE will need to amend Title 19, Texas Administrative Code (TAC) Chapter 74 relating to high school graduation requirements to align with this legislation.

Under current SBOE rules, school districts and charter schools are already allowed to offer high school courses and award credit to students at any grade level deemed appropriate by the district. This explicitly applies in languages other than English courses, such as ASL, where the Texas Essential Knowledge and Skills stipulate that the high school courses may be offered in elementary and middle school. Districts will need to transcript course completion and award credit for elementary students who do not yet have a transcript.

### Summary of IT and Data Implications:

This bill requires an update to the Texas Records Exchange (TREx) DUAL-LANGUAGE-IMMERSION-LANGUAGE-CODE code table to add ASL. Adding a code for ASL will enable local education agencies to report dual language immersion program participation for students who are learning ASL. These changes are expected for the 2020-2021 school year.

# HB 680

Author: Deshotel, Joe

Sponsor: Watson, Kirk

**Bill Summary:** House Bill 680 adds data collection elements to information the Texas Workforce Commission (TWC) must gather when assessing formulas used by TWC to distribute federal childcare development funds to local workforce development boards. The legislation also requires additional coordination with TEA, allows relevant child care data to be reported in the Public Education Information Management System (PEIMS) by assigning unique identifiers to children younger than six, and expands the methods for obtaining input regarding improving coordination between subsidized child-care subsidy programs and prekindergarten programs and increasing the quality of and access to the subsidized child care program. The legislation also requires certain eligibility and reporting information for childcare provider contract agreements.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Texas Labor Code §2308.317(e)	This section adds new Texas Labor Code, §2308.317(e) to require that each board, to the extent practicable, ensure that any professional development for child care providers, directors, and employees funded under Subsection (a), can be used toward requirements for a credential, certification, or degree program, and meets the professional development requirements of the Texas Rising Star Program.
2	Amends Texas Labor Code §302.0042	<p>This section amends Texas Labor Code, §302.0042 to expand the evaluation of quality of the Texas Workforce Commission's (TWC) subsidized childcare programs. (This section has no impact on TEA.)</p> <p>The evaluation must assess the number of places that are reserved for participants in the child care subsidy program out of the total number of children enrolled with a provider on a full-time basis categorized by age of the child for each provider in each local workforce development area that is certified as a 2-star, 3-star, or 4-star provider in the Texas Rising Star Program or that does not participate in the Texas Rising Star Program rather than the former requirement to evaluate the number of vacant slots available for child care placement.</p> <p>The bill requires assessment of the following new criteria:</p> <ul style="list-style-type: none"><li>• The average monthly price charged by childcare providers for full-day childcare in each local workforce development area as stated in the market rate survey conducted under 45 C.F.R. Section 98.45(c)</li><li>• The average monthly price charged by quality childcare providers for full-day childcare in each local workforce development area.</li><li>• The total number of childcare providers participating in the Texas Rising Star Program and the number of 2-star, 3-star, and 4-star rated childcare providers in each local workforce development area</li><li>• The number of childcare providers participating in the Texas Rising Star Program in each local workforce development area as a percentage of the total number of both subsidized childcare providers and all childcare providers in the local workforce development area</li><li>• The number of 2-star, 3-star, and 4-star rated childcare providers in the local workforce development area as a percentage of the total number of both subsidized childcare providers and all childcare providers in the local workforce development area</li></ul>

		<ul style="list-style-type: none"> <li>• The total number of children enrolled in subsidized childcare providers participating in the Texas Rising Star Program in each local workforce development area and the number of subsidized children enrolled in 2-star, 3-star, and 4-star rated childcare providers in the local workforce development area</li> <li>• The number of subsidized children enrolled in child care providers participating in the Texas Rising Star Program in each local workforce development area as a percentage of the total number of subsidized children enrolled in child care providers in the local workforce development area and the number of subsidized children enrolled in 2-star, 3-star, and 4-star rated child care providers in the local workforce development area as a percentage of the total number of subsidized children enrolled in child care providers in the local workforce development area</li> </ul> <p>This section requires, for the purposes of evaluation, that TWC annually update the information required in the assessment of formulas used by TWC to distribute federal childcare development funds to local workforce development boards.</p> <p>This section also defines “quality childcare provider.”</p>
3	Amends Texas Labor Code §302.0043	<p>This section requires coordination efforts between the TWC and TEA.</p> <p>New Texas Labor Code §302.0043(c-1) requires TWC to measure and evaluate the progress of the childcare program regarding:</p> <ol style="list-style-type: none"> <li>(1) coordination with TEA to assign a PEIMS number (unique identifier) to children younger than six years of age enrolled in the TWC childcare program;</li> <li>(2) coordination with TEA, school districts, and open-enrollment charter schools on any prekindergarten quality improvement efforts;</li> <li>(3) efforts to increase coordination among participating providers in the TWC childcare program, school districts, and open-enrollment charter schools;</li> <li>(4) facilitation of childcare provider enrollment in the Texas Rising Star Program and progression of providers to the highest rating level in the program; and</li> <li>(5) development and implementation of rates and payments, as determined by local workforce development boards to allow participating providers to provide high-quality childcare and ensure that TWC meets performance measures established by the legislature for the average number of children served by the TWC childcare program per day.</li> </ol> <p>This section also requires TWC to make collected information available to school districts, open-enrollment charter schools, and the public in addition to the current requirement to make the information available to local workforce development boards.</p> <p>TWC must include information added by this legislation to its report to the legislature that is due January 15 of each odd-numbered year.</p> <p>This section impacts TEA’s Information Technology Division and statewide data collection to implement legislation. Under current law, there are no formal agreements in place for TEA to assign unique IDs to students younger than six to the TWC childcare programs. However, childcare providers may apply for the unique IDs independently.</p>

4	Amends Texas Labor Code §302.00435	<p>This section requires TWC to include in its policy for obtaining input from interested parties regarding its subsidized childcare program and using that input in administering the program, methods for obtaining input from TEA, school districts, open-enrollment charter schools, subsidized childcare providers, relevant businesses, and the public, regarding</p> <ol style="list-style-type: none"> <li>(1) improving coordination between the subsidized childcare program and prekindergarten programs;</li> <li>(2) increasing the quality of and access to the subsidized childcare program;</li> <li>(3) existing health and safety rules and regulations that could be more efficient or less costly without reducing health and safety outcomes; and</li> <li>(4) the burdens relating to complying with existing regulations that could be mitigated, reduced, or eliminated while maintaining the intent, objective, or purpose of the underlying regulation.</li> </ol>
5	Adds Texas Labor Code §302.0461(a)-(d)	<p>New Labor Code §302.0461(a), permits a local workforce development board to contract with childcare providers operating in the board’s area to provide subsidized childcare services. The local workforce development board must determine the number of places that the board reserve in the contract with a childcare provider participating in WC’s subsidized childcare program. (This section has no impact on TEA.)</p> <p>New Labor Code §302.0461(b) establishes that to be eligible for a contract under Subsection (a), a childcare provider must be a Texas Rising Star Program provider with a three-star rating or higher; and meet one of the following priorities of the TWC:</p> <ol style="list-style-type: none"> <li>1. be located in an area where the number of children younger than six years of age who have working parents is at least three times greater than the capacity of licensed childcare providers in the area; or an area determined by TWC to be underserved with respect to childcare providers;</li> <li>2. have a partnership with a school district to provide a prekindergarten program;</li> <li>3. have a partnership with the Early Head Start or Head Start Program;</li> <li>4. increase the number of places reserved for infants and toddlers by high-quality childcare providers; or</li> <li>5. satisfy a requirement in the local workforce development board’s strategic plan.</li> </ol> <p>New Labor Code §302.0461(c), establishes that not later than six months after a local workforce development board enters into a contract, the board must submit a report to TWC evaluating the contract to determine its effect on:</p> <ol style="list-style-type: none"> <li>1. the financial stability of the childcare provider participating in the contract;</li> <li>2. the availability of high-quality childcare options for participants in the TWC’s subsidized childcare program in the workforce development area;</li> </ol>



		<ol style="list-style-type: none"> <li>3. the number of high-quality childcare providers in any part of the workforce development area with a high concentration of families with a need for childcare; and</li> <li>4. the percentage of children participating in TWC’s subsidized childcare program at each Texas Rising Star Program provider in the local workforce development area.</li> </ol> <p>New Labor Code §302.0461(d), requires TWC to determine the information that must be included in the report required by Subsection (c). A local workforce development board must update the report every six months from the date the board submits its initial report to TWC.</p>
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**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

The requirement of the bill is to assign Unique IDs to children younger than six years of age in the childcare program. This will require the childcare program to apply for a Business Partner Directory (BPD) organization number and use the Texas Student Data System (TSDS) unique ID system.

# HB 684

Author: Clardy, Travis

Sponsor: Hughes, Bryan

**Bill Summary:** House Bill 684 allows the parent or guardian of a student with a seizure disorder to seek care for the student's seizures while the student is at school or participating in a school activity by submitting to the school district a copy of a seizure management and treatment plan developed by the student's parent or guardian and the physician responsible for the student's seizure treatment. The bill requires school district employees to complete online training related to seizure recognition and related first aid.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	N/A	This section establishes the name of this legislation as Sam's Law.
2	Adds TEC §38.032	<p>This bill establishes new TEC §38.032, Seizure Management and Treatment Plan, to permit the parent or guardian of a student with a seizure disorder to seek care for the student's seizures while the student is at school or participating in a school activity by submitting to the school district a copy of a seizure management and treatment plan developed by the student's parent or guardian and the physician responsible for the student's seizure treatment. The bill outlines when plans must be submitted and what plans must include.</p> <p>The care of a student with a seizure disorder by a district employee under a seizure management plan is incident to or within the scope of the duties of the employee's position of employment and involves the exercise of judgment or discretion on the part of the employee. The immunity from liability provided by TEC §22.0511 applies to an action or failure to act by a district employee in administering a medication, assisting with self-administration, or otherwise providing for the care of a student under a seizure management plan submitted for the student.</p> <p>A school nurse must complete a TEA-approved online course of instruction for school nurses regarding managing students with seizure disorders that includes information about seizure recognition and related first aid.</p> <p>A school district employee, other than a school nurse, whose duties include regular contact with students must complete a TEA-approved online course of instruction regarding awareness of students with seizure disorders that includes information about seizure recognition and related first aid.</p> <p>TEA may approve an online course of instruction provided by a nonprofit national foundation that supports the welfare of individuals with epilepsy and seizure disorders to satisfy the required training. An online course of instruction approved by the agency that is provided to a school district must be provided by the nonprofit entity free of charge.</p> <p>TEA is required to adopt rules as necessary to administer the new requirements.</p>
3	N/A	This section establishes that TEA must approve online courses of instruction to satisfy the training requirement not later than December 1, 2019.
4	N/A	This section establishes that this legislation applies beginning with the 2020-2021 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

The agency must adopt rules to administer the new requirements of the legislation.

**Summary of IT and Data Implications:**

None

## HB 692

Author: White, James

Sponsor: Watson, Kirk

**Bill Summary:** House Bill 692 bars school districts and open-enrollment charter schools from placing homeless students in out-of-school suspensions unless the students engage in criminal conduct related to weapons, violence, or drugs on school property or during school activities.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §37.005	<p>This section bars school districts and open-enrollment charter schools from placing homeless students in out-of-school suspensions, unless the students engage in conduct described in Subsection (c)(1)-(3) (criminal conduct related to weapons, violence, or drugs) while on school property or while attending school activities. The subsection also provides that campus behavior coordinators for school districts and open-enrollment charter schools may coordinate with their homeless education liaisons to identify appropriate disciplinary alternatives for homeless students. “A student who is homeless” is defined by the subsection as having the meaning of “homeless children and youths” in 42 U.S.C. § 11434a.</p> <p>Although this bill removes an existing disciplinary option of public schools for homeless students, other, existing disciplinary options such as in-school suspensions remain in place for homeless students.</p>
2	N/A	Section 2 provides that the bill applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

TEA will update the student discipline guide. Coordination between local education agencies and the homeless education liaison will need to be established at the local level. Additionally, local education agencies will need to update their local code of conduct if §37.005 is referenced.

### Summary of IT and Data Implications:

Business rules will be added to check HOMELESS-STATUS-CODE and DISCIPLINARY- ACTION-REASON-CODE in instances where students are suspended.

# HB 706

Author: Bernal, Diego  
Sponsor: Lucio, Jr., Eddie

**Bill Summary:** House Bill 706 amends Subchapter A, Chapter 38, TEC, by adding §38.033 relating to audiology services eligibility under the school health and related services program and reimbursement requirements by the Health and Human Services Commission (HHSC) to providers for eligible children. It would also require HHSC, in consultation with TEA, to adopt rules for implementation.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §38.033	<p>This section establishes eligibility parameters for a child to receive audiology services under the school health and related services program. The child would be eligible if he or she is 20 years or younger, has a disability or chronic medical condition, is eligible for Medicaid benefits, and has been prescribed services under an individualized education program created under the IDEA, or a plan created under Section 504 of the Rehabilitation Act of 1973.</p> <p>This specific eligibility requirement already exists in Part 15 (Texas Health and Human Services Commission) of the Texas Administrative Code in Chapter 354 – Medicaid Health Services, Subchapter A – Purchased Health Services, Division 25 – School Health and Related Services at rule §354.1341 <a href="http://bit.ly/SHARSLink">http://bit.ly/SHARSLink</a>. This bill codifies this eligibility in statute.</p> <p>HHSC is required to provide reimbursement to a provider under the program for audiology services provided to an eligible child under Subsection (a). This bill also requires the executive commissioner of HHSC in consultation with TEA to adopt rules necessary to implement the new section of Chapter 38.</p>
2	N/A	Section 2 establishes a need for request of a waiver from a federal agency, if necessary, and an implementation delay allowance until a waiver is granted.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

The executive commissioner of HHSC must adopt rules necessary to implement TEC §38.033 in consultation with TEA.

### Summary of IT and Data Implications:

None

# HB 793

Author: King, Phil

Sponsor: Creighton, Brandon

**Bill Summary:** House Bill 793 amends the provision of the Government Code dealing with contracts with entities that boycott Israel by exempting sole proprietors, businesses with less than ten employees, and contracts of less than \$100,000.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Government Code §2270.001	This section amends the term “company” to exclude proprietorships.
2	Amends Government Code §2270.002	The statutory provision that contractors cannot boycott Israel is only applicable to contracts with a value of \$100,000 or more and between governmental entities and companies with more than 10 full time employees.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 811

Author: White, James

Sponsor: West, Royce

**Bill Summary:** House Bill 811 requires that school districts provide consideration in their student codes of conduct regarding the status of students in the custody of the Department of Family and Protective Services (DFPS) and students who are homeless when making disciplinary decisions that involve suspension, expulsion, removal to a disciplinary alternative education program (DAEP), or placement in a juvenile justice alternative education program (JJAEP).

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §37.001(a)	This section amends TEC §37.001(a)(4) by adding Subparagraphs (E) and (F) to provide consideration in school districts' student codes of conduct regarding the status of students in the custody of the Department of Family and Protective Services (DFPS) and students who are homeless when making disciplinary decisions that involve suspension, expulsion, removal to a DAEP, or placement in a JJAEP.
2	Amends TEC §37.001(b)	Section 2 amends TEC §37.001(b) to define "a student who is homeless" as having the meaning of "homeless children and youths" in 42 U.S.C. Sec. 11434a.
3	N/A	This act applies with the beginning of the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

Local education agencies will need to add the considerations of §37.001(a)(4)(E) and §37.001(a)(4)(F) to their local code of conducts (if they have included the reasons for considerations for removing a student in their local code of conducts).

### Summary of IT and Data Implications:

None

# HB 906

Author: Thompson, Senfronia

Sponsor: Powell, Beverly

**Bill Summary:** House Bill 906 creates a collaborative task force on public mental health services to study and evaluate mental health services and training provided at school districts and open-enrollment charter schools that are funded by state competitive grants. This bill requires extensive data collection across the state with the purpose of analyzing the effectiveness of mental health services and staff training within the state’s local education agencies. The task force will not be administratively supported by TEA but will be supported by institutions of higher education selected by the commissioner of education (Commissioner), except that TEA will maintain data collected by the task force. The bill permits the Commissioner to utilize no more than 10 percent of any funds appropriated for student mental health programs to support the task force.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Chapter 38, TEC, by adding Subchapter F	<p>Section 1 of the bill amends Chapter 38 of the Texas Education Code by adding Subchapter F (TEC §§38.301-38.311).</p> <p>§38.301 is added to define “institution of higher education” as having the meaning assigned by TEC §61.003 and defining “task force” as the Collaborative Task Force on Public Mental Health Services.</p> <p>§38.302 establishes that the purpose of the task force is to study and evaluate: 1) mental health services that are funded by competitive state grants and provided at a school district, or open-enrollment charter school, directly to a student, a parent or family member of or person standing in parental relation to a student enrolled at the district or school, or an employee of the district or school; 2) training provided to an educator employed by the district or school to provide these mental health services; and (3) the impact of mental health services on various students.</p> <p>§38.303 establishes that the task force membership is composed of the Commissioner, or the Commissioner’s designee, and additional members whom the Commissioner shall appoint without regard to race, color, disability, sex, religion, age or national origin of the appointee. The task force is not subject to Government Code, Chapter 2110.</p> <p>§38.304 designates the Commissioner as the interim presiding officer at the initial task force meeting. The task force during the initial meeting shall select from the members a presiding officer and may select an assistant presiding officer and secretary.</p> <p>§38.305 prohibits compensation or reimbursement of a member of the task force for service on the task force</p> <p>§38.306 requires the task force, after the initial meeting, to meet at least twice a year at a time and place determined by the presiding officer and may also meet at other appropriate times. Meetings may be held on the presiding officers’ own motion and by teleconference.</p>



		<p>§38.307 requires the Commissioner to designate one institution of higher education with experience in evaluating mental health services to serve as the lead institution providing faculty, staff and administrative support as determined necessary by the task force to administer this subchapter. This section requires that TEA maintain data collected by the task force under TEA’s information security plan and under TEA’s record retention schedule. The Commissioner is also required to designate two additional institutions to assist the task force and the lead institution. In making a designation under this section, the Commissioner shall give preference to at least one predominantly black institution, as defined by 20 U.S.C. Section 1067q(c)(9). The agency, school districts and charter schools are required to provide information or other assistance to the task force when requested.</p> <p>§38.308 requires the task force to: gather data on: 1) the number of students referred to inpatient or outpatient mental health providers; 2) the number of students transported from schools for emergency detentions; and 3) race, ethnicity, gender, special education status and geographic location of individuals who are provided services described in Sec. 38.302 or who fall within the first two categories of data collection. The task force is further required to study, evaluate and make recommendations regarding mental health services described by §38.302, including addressing: (1) the outcomes and effectiveness of services and training provided, including the outcomes and effectiveness of the service and training providers and the programs under which services and training are provided, in: improving student academic achievement and attendance, reducing student discipline, providing early mental health prevention and intervention, building skills relating to managing emotions, establishing and maintaining positive relationships and making responsible decisions, preventing substance abuse, preventing suicide, adhering to the purpose of the program services or training, promoting trauma-informed practices, and promoting a positive school climate, including improving safety in the district or school; (2) best practices for districts and schools in providing services or training; and (3) disparities in the race, ethnicity, gender, special education status, and geographical location of individuals receiving the services. The task force may also evaluate mental health services funded from a source other than a competitive grant.</p> <p>§38.309 provides that the task force must maintain the confidentiality of student medical and educational information under federal (HIPAA—42 U.S.C. Sec. 1320d et seq.—and FERPA—20 U.S.C. Sec. 1232g) and state privacy laws.</p> <p>§38.309 requires the first report from the task force no later than November 1, 2020, and a second report due no later than November 1, 2022, containing the results of the task force’s activities conducted under §38.308 and recommendations for legislative or other action. The report is to be submitted to the Governor, Lieutenant Governor and Speaker of the House.</p> <p>§38.310 allows the task force to accept gifts or grants from a private individual, foundation or federal government. The task force is prohibited from spending more than 10 percent of any money appropriated to it for the administration of the task force. The section also permits the Commissioner to utilize no more than 10 percent of any funds appropriated for student mental health programs to support the task force.</p>
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		§38.311 provides for the abolishment of the task force and expiration of this subchapter on December 1, 2022.
2	N/A	Section 2 requires, not later than October 1, 2019, the Commissioner to appoint the members of the task force and designate the institutions of higher education to provide support services, as required by TEC §38.303 and §38.307, as added by this bill.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

The bill requires the creation of a collaborative task force on public school mental health services.

Development of accurate measures for consistent mental health outcome reporting requirements by the task force for use by Texas public schools will be required. These measures will be utilized by each local education agency (LEA) for data collection and reporting to the task force for analysis in order to determine effectiveness and overall outcomes. LEAs will need to consistently measure results and report data to the task force for proper evaluation.

This bill requires the first report from the task force no later than November 1, 2020, and a second report due no later than November 1, 2022, containing the results of the task forces activities conducted under §38.308 and recommendations for legislative or other action. The report is to be submitted to the Governor, Lieutenant Governor and Speaker of the House.

**Summary of IT and Data Implications:**

This bill requires TEA maintain data collected by the task force under TEA’s information security plan and under TEA’s record retention schedule

# HB 961

Author: Howard, Donna

Sponsor: Watson, Kirk

**Bill Summary:** House Bill 961 allows a school nurse to be a member of the required district or charter school concussion oversight team.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §38.154	<p>Existing statute requires school districts and open-enrollment charter schools to have a concussion oversight team. Membership of the team must include at least one physician and, to the greatest extent practicable, an athletic trainer, advanced practice nurse, neuropsychologist, and physician assistant.</p> <p>This legislation permits, if a district or charter school employs a school nurse, a school nurse to be a member of the concussion oversight team if requested by the school nurse.</p>
2	Amends TEC §38.156	<p>A student must be removed from an interscholastic athletics practice or competition immediately if a coach, physician, licensed health care professional, person licensed under Texas Occupations Code, Chapter 201, or the student's parent or guardian believes the student might have sustained a concussion during the practice or competition. A school nurse has been added to the list of individuals who are required to remove a student from practice or competition if the student is suspected of having sustained a concussion.</p> <p>Existing law requires members of the concussion oversight team to receive training from an authorized training provider at least every two years. The training must address concussions, including evaluation, prevention, symptoms, risks, and long-term effects of concussions.</p> <p>This legislation requires a school nurse who serves as a member of a concussion oversight team to complete the required training course. The bill also establishes that a school nurse who is not in compliance with the concussion training requirements may not serve as a member of the concussion oversight team in any capacity.</p>

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

Local education agencies must ensure that nurses who serve on a concussion oversight team complete the required training every two years.

### Summary of IT and Data Implications:

None

**HB 963**  
**Author: Bell, Cecil**  
**Sponsor: Taylor, Larry**

**Bill Summary:** House Bill 963 requires that each school district that maintains a website must post on the website the name, e-mail address, and term of office, including the date the term began and the date the term expires, of each member of the district’s board of trustees.

Not later than March 1, 2020, the State Board of Education (SBOE) must review the TEKS for career and technical education (CTE) and technology applications and amend the board’s rules to consolidate the technology applications courses for grades 9 - 12 with the CTE courses and eliminate duplicative courses while ensuring certifications are aligned with the rigor of each individual course.

**Section-by-Section Analysis:**

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §11.1518	Each school district that maintains a website must post on the website the name, e-mail address, and term of office, including the date the term began and the date the term expires, of each member of the district’s board of trustees.  If a school district does not maintain a website, the district must submit the required information to TEA and TEA must post the information on the agency’s website. Each time there is a change in the membership of the district’s board of trustees, the district must update the posted information or notify TEA
2	N/A	The SBOE must conduct a review of the CTE and technology applications TEKS no later than March 1, 2020, and to amend its rules in order to consolidate the TEKS for technology application courses for grades 9-12 with the TEKS for CTE courses. The SBOE must eliminate any duplicative courses while ensuring that certifications are aligned with the rigor of each course.
3	N/A	The SBOE is only required to implement a provision of this Act if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the SBOE may, but is not required to, implement a requirement of this act using other appropriations available for that purpose.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

The SBOE, not later than March 1, 2020, will conduct a review of the TEKS for CTE and technology applications courses for Grades 9-12 and amend the board's rules to consolidate courses and eliminate duplicative courses.

**Summary of IT and Data Implications:**

Changes to course codes will be required as a result of the revised TEKS.

## HB 965

Author: González, Mary

Sponsor: Zaffirini, Judith

**Bill Summary:** House Bill 965 makes technical edits to several sections of the TEC to update terms and definitions from “mentally retarded” to persons with “intellectual disabilities” and related matters such as “state schools” to “state supported living centers.” Additionally, names of state agencies that have changed over the recent years have been updated.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §25.041	This section amends TEC §25.041 to delete the words “state schools” and replace the words with “state supported living centers.” The bill deletes the term “the mentally retarded” and replaces it with “persons with intellectual disabilities.” Throughout this section the bill makes these changes regarding those two terms.
2	Amends TEC §29.003	This section amends TEC §29.003 to delete the term “mental retardation” and replace it with “intellectual or developmental disability.”
3	Amends TEC §29.456(b)	This section amends TEC §29.012(d) relating to residential facilities and a memorandum of understanding required between state agencies. It deletes names of agencies that have been merged or renamed and replaces them with “the Health and Human Services Commission (HHSC) and the Department of Family and Protective Services (DFPS).
4	Amends TEC §29.456(b)	This section amends TEC §29.456(b) by updating language related to the executive commissioner of HHSC and by deleting “mental retardation” and replacing it with “intellectual and developmental disabilities.”
5	Amends TEC §29.457(b)	This section amends TEC §29.457(b) by deleting “mental retardation” and replacing it with “intellectual and developmental disabilities.”
6	Amends TEC §30.0015(b) (2)	This section amends TEC §30.0015(b) (2) by deleting Texas Rehabilitation Commission and Texas Department of Mental Health and Mental Retardation and replacing it with the Health and Human Services Commission. The name change does not have an impact on TEA or public schools.
7	Amends TEC §52.40(a)	This section amended TEC §52.40(a), but TEC §52.40 was repealed by HB 4465 of the 86 <sup>th</sup> Legislative Session.
8	Amends TEC §73.401	This section amends TEC §73.401 related to the operation of the Harris County Psychiatric Center that has been developed and includes language regarding the persons to be served. This would does not have an impact on TEA or public schools.

<b>9</b>	Adds TEC §73.403	The section adds TEC §73.403 about the operation of the Harris County Psychiatric Center. It does not impact TEA or public schools.
<b>10</b>	Amends TEC §73.404	This section amends TEC §73.404 and relates to funding of the Harris County Psychiatric Center. It does not impact TEA or public schools.
<b>11</b>	Amends TEC §73.405	This section amends §73.405 regarding the leasing and administration of the Harris County Psychiatric Center. There is no impact on TEA or public schools.
<b>12</b>	Amends TEC §73.406	This section amends TEC § 73.406 regarding revenues of the center above. It does not impact on TEA or public schools.
<b>13</b>	Amends TEC §73.501	This section amends TEC §73.501 regarding transfer and lease of the center above facilities. It does not impact TEA or public schools.
<b>14</b>	Amends TEC §73.502	This section amends TEC §73.502 regarding the transfer of gifts, grants and obligations to the center above. It does not impact TEA or public schools.
<b>15</b>	Amends TEC §73.503	This section amends TEC §73.503 relating to personnel for the center above. It does not impact TEA or public schools.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

TEA and public schools will need to update materials with appropriate terms that may change in the bill where that has not already been accomplished. That includes replacing "mental retardation" with "individuals with intellectual and developmental disabilities."

**Summary of IT and Data Implications:**

None

# HB 982

Author: Parker, Tan

Sponsor: West, Royce

**Bill Summary:** House Bill 982 amends the law related to the administration of "pay for success" contracts for state agencies.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Government Code §§403.110(c), (e), and (f)	This section adds the terms "gifted," "granted," and "donated" to the funds that will make up the trusts in addition to appropriated funds. This section also clarifies when a pay for success contract is enforceable.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 1026

Author: Bohac, Dwayne

Sponsor: Hughes, Bryan

**Bill Summary:** House Bill 1026 identifies positive character traits and requires the State Board of Education (SBOE) to integrate the traits into the curriculum adopted for kindergarten through grade 12. Each school district and open-enrollment charter school must adopt a character education program that includes the positive character traits listed in statute.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §29.906	Section 1 amends the heading of §29.906 from “Character Education Program” to “Character Traits Instruction”
2	Amends TEC §29.906	<p>Previously, TEC §29.906 permitted school districts to provide a character education program that includes a variety of positive character traits. This bill identifies positive character traits and adds gratitude to the list of positive character traits. The SBOE is required to integrate the traits into the Texas essential knowledge and skills (TEKS) adopted for kindergarten through grade 12, as appropriate.</p> <p>Each school district and open-enrollment charter must adopt a character education program that includes the required positive character traits.</p> <p>The SBOE is permitted to adopt rules as necessary to implement the requirements of this legislation.</p>
3	N/A	<p>This section of the bill establishes that the Act applies beginning with the 2019-2020 school year.</p> <p>The SBOE will be unable to complete the rulemaking process including the statutorily required public comment period and adopt the rules necessary to implement this legislation before the beginning of the 2019-2020 school year.</p>

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

The SBOE is permitted, but not required, to adopt rules as necessary to implement this legislation.

School districts and charter schools that do not already have a character education program that aligns with the requirements of this legislation will need time to adopt a program to implement the statutory requirements.

### Summary of IT and Data Implications:

The agency is required to collect data on character education programs from districts and charter schools.



# HB 1051

Author: VanDeaver, Gary

Sponsor: Watson, Kirk

**Bill Summary:** House Bill 1051 changes the adult high school diploma and industry certification charter school program from a pilot to a permanent program. The bill allows individuals who have received certificates of high school equivalency to qualify for the program and would eliminate limitations on the ages of individuals who could qualify for the program. The bill also changes the funding mechanism from being partially funded through a general revenue rider appropriation to being fully funded through the Foundation School Program (FSP). This new information will be reported through the Public Education Information Management System (PEIMS).

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §12.137(a)	This section removes the “pilot” designation and now refers to the adult high school diploma and industry certification charter school program.
2	Adds TEC §29.081 (d) (2)	The definition of “at risk of dropping out of school” is expanded to include students, regardless of age, who participate in an adult education program provided under a high school diploma and industry certification program under TEC §29.259.
3	Amends TEC §29.259	The heading for this section is amended by removing the term “pilot.” The new heading reads “Adult High School Diploma and Industry Certification Charter School.”
4	Amends TEC §29.259	<p>References to the previous pilot program are removed. Additionally, this section changes the beginning age of eligibility for the program from 19 to 18 years of age and allows the participation of a student who earned a certificate of high school equivalency but would require that priority be given to a person that has not earned a high school equivalency certificate.</p> <p>Program requirements were added that require the non-profit entity to:</p> <ul style="list-style-type: none"><li>• use an instructional model where at least 75 percent of instruction be delivered by a teacher in an in-person interactive classroom setting; and</li><li>• provide support services to students including no-cost childcare, life-coaching services, mental health counseling, and instructional support services for students with disabilities or impairments.</li></ul> <p>If money is appropriated for expansion of this program for a state fiscal year, the entity must submit any expansion amendment request not later than June 30<sup>th</sup>. The expansion is considered approved if the Commissioner does not provide written notice to nonprofit entity of the disapproval on or before August 1<sup>st</sup>.</p> <p>The nonprofit would be entitled to funding for all students through the FSP equal to the amount of funding for students at an open-enrollment charter school.</p>
5	Amends TEC §29.259 (d)	This section removes “pilot” from the statute language.
6	Adds TEC §39.053(g-4)	This section requires the Commissioner, for purposes of the computation of dropout and completion rates such as high school graduation rates, to exclude a student who was reported as having dropped out of school under TEC §42.006(a-9), and the student could not be considered to have dropped out from the school district or campus in which the student was last enrolled.
7	Amends TEC §42.003(a)	References to the pilot are removed. Additionally, the beginning age eligibility for the program is changed from 19 to 18 years of age for eligibility for FSP funding.

8	Adds new §42.006(a-8)	<p>This section requires the Commissioner, by rule, to require each school district and open-enrollment charter school to annually report through PEIMS information regarding the number of students who are enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program provided by the district or school and who are at least 19 years of age and under 26 years of age; have not previously been reported to the agency as dropouts; and enroll in the program at the district or school after not attending school for a period of at least nine months.</p> <p>This section would also add new §42.006 (a-9) to require a student reported under Subsection (a-8) as having enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program to be reported through PEIMS as having previously dropped out of school.</p>
9	N/A	This act applies beginning with the 2019-2020 school year.
10	N/A	To ensure accurate funding; and accurate collection, analysis, and reporting of information; the Commissioner shall update PEIMS as necessary to accommodate reporting regarding students at least 26 years old and not more than 50 years old enrolled in these programs.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

The Commissioner must adopt a rule imposing annual PEIMS-reporting requirements for each school district and charter school. The Commissioner will also amend charter school rules in Title 19 of the Texas Administrative Code, Chapter 100 related to expansion.

**Summary of IT and Data Implications:**

Each school district and open-enrollment charter school must annually report through PEIMS information regarding the number of students who are enrolled in a high school equivalency program, a dropout recovery school, or an adult education program provided under a high school diploma and industry certification charter school program provided by the district or school and who are at least 19 years of age and under 26 years of age, have not previously been reported to the agency as dropouts, and enroll in the program at the district or school after not attending school for a period of at least nine months.

TEA will add a new indicator for school districts and charter schools to report whether or not the student has attended school in the last nine months: ATTEND-SCHOOL-PREV-NINE-MONTHS-INDICATOR. Additionally, TEA will create a report that school districts and charter schools could reference to determine if a student has previously been reported as a dropout in Texas. TEA anticipates these changes will be implemented in the 2020-2021 school year.

# HB 1064

Author: Ashby, Trent  
Sponsor: Birdwell, Bryan

**Bill Summary:** House Bill 1064 designates May 4<sup>th</sup> as Texas Firefighters Day in honor of the bravery, determination, and service of Texas firefighters, many of whom are volunteers. Texas Firefighters Day may be regularly observed by appropriate ceremonies and activities.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Texas Government Code §662.071	May 4 <sup>th</sup> is designated as Texas Firefighters Day in honor of the bravery, determination, and service of Texas firefighters, many of whom are volunteers. Texas Firefighters Day may be regularly observed by appropriate ceremonies and activities.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

Observation of Texas Firefighters Day is permissive for school districts and charters.

### Summary of IT and Data Implications:

None

# HB 1143

Author: Hefner, Cole  
Sponsor: Hughes, Bryan

**Bill Summary:** House Bill 1143 bars school districts or open-enrollment charter schools from regulating the manner in which a handgun, firearm, or ammunition is stored in a vehicle parked in a parking lot, parking garage, or other parking area provided by a school district or charter school.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §37.0815(a)	This section bars school districts or open-enrollment charter schools from regulating the manner in which a handgun, firearm, or ammunition is stored in a vehicle parked in a parking lot, parking garage, or other parking area provided by a school district or charter school.
2	N/A	The bill applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 1244

Author: Ashby, Trent

Sponsor: Campbell, Donna

**Bill Summary:** House Bill 1244 establishes that the U.S. History end-of-course assessment must include 10 questions randomly selected by TEA from the civics test administered by the United States Citizenship and Immigration Services as part of the naturalization process.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §39.023(c-7)	<p>The U.S. History end-of-course assessment must include 10 questions randomly selected by TEA from the civics test administered by the United States Citizenship and Immigration Services as part of the naturalization process.</p> <p>TEA is required to ensure that the questions included in the assessment align with the Texas Essential Knowledge and Skills (TEKS) for the high school U.S. history course. TEA must annually issue a report that does the following:</p> <ul style="list-style-type: none"><li>• Provides the questions included in the assessment and the answers to those questions; and</li><li>• Details student performance on the questions included in the assessment, both statewide and disaggregated by school district and campus.</li></ul>
2	N/A	This section establishes that this act applies to students who enter the ninth grade during the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

TEA must annually issue a report that provides the questions and answers included in the U.S history end-of-course exam and details student performance on these questions both statewide and disaggregated by school district and campus.

### Summary of IT and Data Implications:

None

# HB 1387

Author: Hefner, Cole

Sponsor: Creighton, Brandon

**Bill Summary:** House Bill 1387 increases the number of school marshals who can be appointed to public and private schools by reducing the current limit of 1 school marshal per 200 students to 1 school marshal per 100 students for school districts, permitting open-enrollment charter schools to appoint one or more school marshals per campus, and permitting private schools to appoint one or more school marshals.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §37.0811(a)	A school district is permitted to appoint no more than 1 school marshal for every 100 students, rather than every 200 students. Open-enrollment charter school governing bodies may now appoint one or more school marshals per campus, rather than one for every 200 students.
2	Amends TEC §37.0813(a)	Section 2 permits a private school governing body to appoint one or more school marshals, rather than one for every 200 students
3	N/A	Section 3 provides that the amended provisions apply with the beginning of the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 1597

Author: Lambert, Stan

Sponsor: Buckingham, Dawn

**Bill Summary:** House Bill 1597 establishes that a student whose parent or guardian is an active-duty member of the armed forces of the United States, including state military forces or reserve components of the armed forces, may establish residency for the purposes of being admitted into a school district by providing a copy of a military order that requires the parent or guardian to transfer to a military installation in or adjacent to the district's attendance zone. Proof of residency must be provided within 10 days of the arrival date specified in the order.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §25.001	Subsections (c-1) and (c-2) are added to mandate that school districts and open-enrollment charter schools accept a copy of a military order requiring the parent's or guardian's transfer to a military installation in or adjacent to the attendance zone and provide proof of residency, including in a military temporary lodging facility in the attendance zone not later than the 10th day after the arrival date specified in the military order.
2	Amends TEC §12.104(b)	Section 2 applies the act to open-enrollment charter schools.
3	N/A	Section 3 states that the act applies beginning with the 2019-2020 school year.
4	N/A	Section 4 states that this act prevails over another act of the 86 <sup>th</sup> Legislature with regards to nonsubstantive additions to and corrections in enacted codes.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

School districts and open-enrollment charter schools will have to change their rules with regards to what sort of documentation they will accept for residency with this bill.

### Summary of IT and Data Implications:

None

## HB 1702

Author: Howard, Donna

Sponsor: Hancock, Kelly

**Bill Summary:** House Bill 1702 expands the duties of an institution of higher education’s liaison officer for current or incoming students who are or were in foster care. Liaison officers must identify students who are or were formerly in the conservatorship of the Department of Family and Protective Services from information provided to the institution in admission or financial aid applications or other available resources. This bill creates cross-system collaboration opportunities between high school counselors, school districts, and institutions of higher education as students in foster care transition from high school into higher education.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §51.9356	The heading to §51.9356 is amended to include both students who are currently and previously in foster care, rather than just students who were previously in foster care. The new section heading now reads “Designation of Liaison Officer to Assist Students Who Are or Were in Foster Care.”
2	Amends TEC §51.9356	<p>Each institution of higher education must designate a liaison officer for current and incoming students at the institution who are or were formerly in the conservatorship of the Department of Family and Protective Services. The institution shall identify those students from admission or financial aid applications or other available resources. Institutions of higher education must provide the liaison officer the names and information of these students.</p> <p>Liaison officers may participate in any training related to carrying out their duties and coordinate with other liaison officers. The liaison officer’s name and contact information must be publicized on the institution of higher education’s website, social media sites, via email, or through other means of communication. In addition, the institution must publicize information regarding support services and other resources available to students who are or were in foster care.</p>
3	N/A	The information described in section 2 of this bill must be publicized no later than January 1, 2020.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None



## HB 1709

Author: González, Mary

Sponsor: Menéndez, José

**Bill Summary:** House Bill 1709 provides requirements of school districts or open-enrollment charter schools related to individuals appointed as surrogate parents for students.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §25.007	Seven events are listed in §25.007(b)(10) that may significantly impact the education of a child in foster care in which school districts and charter schools are required to notify the child's educational decision-maker and caseworker, including referrals for evaluation of special education or Section 504, ARD committee meetings, reports of restraint and seclusion and use of corporal punishment.
2	Amends TEC §29.0151	<p>This section adds the appointment of a surrogate parent for the child under §29.0151 to the list of events requiring notice. Current law states a surrogate parent appointed by a school district may not be an employee of the state, but this is amended to state that a surrogate parent may not be an employee of TEA (rather than the state).</p> <p>Section 2 adds §29.0151(e-1) requiring that a school district provide written notice to the child's educational decision-maker and caseworker of the appointment of a surrogate parent, as soon as practicable after the appointment. Current law states that if a court appoints a surrogate parent for a child with a disability in foster care and the school district determines the surrogate parent is not properly performing the required duties, then the school district must consult the Department of Family Protective Services (DFPS) and appoint another person to serve as the surrogate parent. HB 1709 amends §29.0151(c)(1) to require the school district to consult with DFPS regarding whether another person should be appointed to serve as the surrogate parent.</p> <p>Amends §29.0151(g) and requires that DFPS, upon notice from the school district that the court-appointed surrogate parent is unable or unwilling to properly perform the required duties, if DFPS agrees with the district, to notify the court of the agreement, and requires the court to review the appointment and enter an order to ensure the child has a surrogate parent who performed the required duties.</p>

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 1734

**Author: Holland, Justin**  
**Sponsor: Lucio, Jr., Eddie**

**Bill Summary:** House Bill 1794 relates to litigation involving certain defects in school district facilities and enforcement of certain duties following that litigation.

**Section-by-Section Analysis:**

Bill Section	Statute Added or Amended	Change from Current Law
<b>1</b>	Adds TEC Chapter 44, Subchapter E	A new subchapter heading is added to read “Subchapter E. Litigation Involving School District Facility.”
<b>2</b>	Adds TEC §44.151, transferred from TEC Chapter 46 and renumbered	<p>This section transfers TEC §46.0111 to TEC Chapter 44, renumbers it as §44.151, and amends the title to read: Actions Brought for Defective Design, Construction, Renovation, or Improvement of School District Facility. A reference for the definition of instructional facility is added.</p> <p>This section makes the following changes to renumbered TEC §44.151:</p> <p>In Subsection (a)(1), instructional facility has the meaning assigned by Section 46.001;</p> <p>In Subsection(a)(3), state assistance now refers to Subchapter A, Chapter 46.</p> <p>In Subsection (b), a district shall provide the written notice of a structural defect action, including the petition to the commissioner of education (Commissioner) by registered or certified mail with return receipt requested not later than the 30<sup>th</sup> day after the action is filed. If the district does not notify the Commissioner, then the action is dismissed without prejudice. The dismissal of an action under this subsection extends the statute of limitations on the action for a period of 90 days.</p> <p>In new Subsection (b-1), the notice required under Subsection (b) must include: (2) an itemized list of the defects in the design, construction, renovation, or improvement for which the district is seeking damages under the action.</p> <p>Under Subsection (c), the Commissioner may join, on behalf of the state, in an action brought under Subsection (b) involving a facility financed by bonds in which a district received state assistance under Subchapter A, TEC, Chapter 46.</p> <p>Under Subsection (d), a district that brings an action under Subsection (b) shall use the net proceeds from the action for: (1) the repair of the defective design, construction, renovation or improvement of the impacted facility, including the repair of any ancillary damage to furniture and fixtures; (2) the replacement of the impacted facility; (3) the reimbursement of the district for a repair or replacement made under Subdivision (1) or (2); or (4) any other purpose with written approval from the Commissioner.</p> <p>Subsection (e) provides that the district shall provide an itemized accounting of any repairs made under Subsection (d) to the Commissioner.</p> <p>(f) The state has a share in an action under Subsection (b) for which the district received state assistance.</p>

3	Adds TEC §44.152	<p>Subsection (a) of new §44.152 provides the attorney general with the discretion to, on behalf of the state, enjoin the school district from violating the provisions of §44.151, after providing at least two weeks' notice to the district.</p> <p>Subsection (b) provides that the attorney general may request legal relief in the interest of the public, including civil penalties not to exceed \$20,000 for each violation, reasonable costs for investigating and prosecuting the violation; or, the amount of the state's share under §45.151(f).</p> <p>Subsection (c) provides that not later than December 1 of each year the attorney general shall submit to the governor, lieutenant governor, members of the legislature and the Commissioner a report on any actions taken. The report must include the filing date, the cause number, the district that is the subject of the action, and the court in which the action was brought.</p>
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**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**  
None

**Summary of IT and Data Implications:**  
None

# HB 1891

Author: Stucky, Lynn  
Sponsor: Powell, Beverly

**Bill Summary:** House Bill 1891 establishes that a student who has achieved a score set by the Texas Higher Education Coordinating Board (THECB) on a high school equivalency exam is exempt from the requirements of the Texas Success Initiative. The commissioner of higher education is required by rule to establish the period for which an exemption is valid.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §51.338	This legislation establishes that a student who has achieved a score set by the THECB on a high school equivalency examination is exempt from the college readiness assessment requirements.  The commissioner of higher education is required, to adopt rules to establish the period for which an exemption is valid.
2	N/A	This section states that this act applies beginning with the assessment of entering undergraduate students at public institutions of higher education for the 2020 fall semester. The assessment of an entering undergraduate student for an academic term before that semester is governed by the law in effect before the effective date of this act, and that law is continued in effect for that purpose.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 1949

Author: Guillen, Ryan

Sponsor: West, Royce

**Bill Summary:** House Bill 1949 establishes criteria for awarding adult education and literacy program performance incentive funds.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Texas Labor Code §315.007(c), (d), and (e)	<p>Texas Labor Code §315.007(a), Performance Incentive Funding, specifies that the Texas Workforce Commission (TWC) must, by rule, develop and establish a performance-based process for annually awarding funds to entities that deliver adult education and literacy services. The process must be designed to reward those entities demonstrating exemplary performance in the delivery of services. The TWC is required to prescribe criteria for evaluating performance and procedures for taking corrective action.</p> <p>This legislation requires that for the award of funds to entities that deliver adult education and literacy services based on performance during a program year, criteria must include the achievement by an entity of the following enrollment target and performance benchmarks:</p> <ul style="list-style-type: none"><li>• The enrollment in a high school equivalency program or a postsecondary ability to benefit program of at least 25 percent of all students receiving adult education and literacy services from the entity during that program year.</li><li>• The achievement by the end of that program year of a high school equivalency certificate or a postsecondary certificate by at least 70 percent of those students receiving adult education and literacy services from the entity at the beginning of that program year who are enrolled in a high school equivalency program or a postsecondary ability to benefit program.</li></ul> <p>Members of the TWC must approve the award of any funds.</p> <p>"Postsecondary ability to benefit program" is defined as a postsecondary certificate program in which a person who does not have a high school diploma or equivalency certificate and who both qualifies for federal student financial aid and demonstrates on an assessment instrument that the person can pass college-level courses with some support may enroll.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 2184

Author: Allen, Alma

Sponsor: Huffman, Joan

**Bill Summary:** House Bill 2184 requires an alternative education program administrator to provide notice of a student's transition from the alternative education program to the student's parent or a person standing in parental relation to the student and the administrator of the campus to which the student intends to transition. The bill also requires the campus administrator to coordinate the student's transition to a regular classroom including development of a personalized transition plan for the student.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §37.023	<p>This bill would add new TEC §37.023, Transition from Alternative Education Program to Regular Classroom.</p> <p>"Alternative education program" is defined as including a disciplinary alternative education program (DAEP) operated by a school district or open-enrollment charter school; a juvenile justice alternative education program (JJAEP); and a residential program or facility operated by or under contract with the Texas Juvenile Justice Department, a juvenile board, or any other governmental entity.</p> <p>"Licensed clinical social worker" is defined as having the meaning assigned by Texas Occupations Code §505.002.</p> <p>As soon as practicable after an alternative education program determines the date of a student's release from the program, the alternative education program administrator must provide written notice of that date to the student's parent or a person standing in parental relation and the administrator of the campus to which the student intends to transition. The program must also provide the campus administrator an assessment of the student's academic growth while attending the alternative education program and the results of any assessments administered to the student.</p> <p>Not later than five instructional days after the date of a student's release from an alternative education program, the campus administrator must coordinate the student's transition to a regular classroom.</p> <p>The campus administrator must develop a personalized transition plan for the student. If practicable, the campus administrator or the administrator's designee, must meet with the student's parent or a person standing in parental relation to the student to coordinate plans for the student's transition.</p> <p>These requirements only apply to a student subject to compulsory attendance requirements under TEC §25.085.</p>
2	N/A	<p>This section states this legislation applies beginning with the 2019-2020 school year.</p>

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

Local education agencies will need to update the local code of conduct and TEA will need to update the student discipline guide.

# HB 2190

Author: Hunter, Todd

Sponsor: Hinojosa, Juan “Chuy”

**Bill Summary:** House Bill 2190 allows an open-enrollment charter school to admit a child of an employee of the school.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §12.117(d)	Subsection (d) is added to allow an open-enrollment charter school to admit a child of an employee of the school as provided by this section regardless of whether the child resides in the geographic area served by the school.
2	N/A	The Act applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

None

### Summary of IT and Data Implications:

A new attribution code will be added in the Texas Education Data Standards (TEDS) in the 2020-2021 school year. Charter schools will now need to report which students of employees are enrolled in the charter school that live outside the geographical region the charter serves.



## HB 2195

Author: Meyer, Morgan

Sponsor: Zaffirini, Judith

**Bill Summary:** House Bill 2195 requires a school district to include an active shooter emergency policy in its multihazard emergency operations plan and ensure that school peace officers or resource officers complete an active shooter response training program.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
<b>1</b>	Amends TEC §37.108(c-2)	Section 1 requires that a school district release to the public upon request documents that verify that the district's multihazard emergency operations plan (MEOP) includes an active shooter policy required under new Subsection (g). New Subsection (g) requires a school district to include an active shooter policy in its MEOP and permits a district to utilize available community resources to develop such a policy.
<b>2</b>	Amends TEC Sec. §37.0812	Section 2 requires that school peace officers and resource officers complete an active shooter response training program approved by the Texas Commission on Law Enforcement (TCOLE).
<b>3</b>	N/A	Section 3 requires that the TCOLE approve an active shooter response training program as soon as practicable, after the bill takes effect.
<b>4</b>	N/A	Section 4 provides that the training required by the bill take place for existing school peace officers and resource officers as soon as practicable but no later than August 31, 2020.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

**HB 2210**  
**Author: Bell, Keith**  
**Sponsor: Powell, Beverly**

**Bill Summary:** House Bill 2210 would require that certain students be excluded from state accountability ratings.

**Section-by-Section Analysis:**

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §39.0552	Students receiving residential services in a state hospital must be excluded from district and campus accountability rating evaluations. These students are not to be considered a student of the district or campus in which the program is physically located.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

In accordance with current TEC §39.055, accountability calculations currently exclude any student who is reported as being served by residential treatment facility. This bill did not make changes to current accountability procedures.

**Summary of IT and Data Implications:**

None

## HB 2243

Author: Oliverson, Tom

Sponsor: Buckingham, Dawn

**Bill Summary:** House Bill 2243 adds the use of prescription asthma medicine on public and private school campuses to current law pertaining to the maintenance and administration of epinephrine auto-injectors.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC, Chapter 38, Subchapter E	The heading to TEC, Chapter 38, Subchapter E, is amended to read, "Maintenance and Administration of Epinephrine Auto-Injectors and Asthma Medicine."
2	Amends TEC §38.208	The heading to TEC §38.208, is amended to read," "Maintenance and Administration of Epinephrine Auto-Injectors and Asthma Medicine."
3	Adds new TEC §38.208(a-1)	<p>This legislation amends current TEC §38.208 to add "asthma medicine" throughout the section and to add new TEC §38.208(a-1) permitting each school district, open-enrollment charter school, and private school to adopt and implement a policy authorizing a school nurse to maintain and administer asthma medicine at each campus in the district or school. If a policy is adopted, the policy must provide that the school nurse may administer prescription asthma medicine to a student only if the school nurse has written notification from the student's parent or guardian that the student has been diagnosed as having asthma and stating that the school nurse may administer prescription asthma medicine to the student. A school nurse may administer the prescription asthma medicine only at a school campus.</p> <p>The executive commissioner of the Health and Human Services Commission, in consultation with the commissioner of education, and with the advice from the advisory committee as appropriate, must adopt rules regarding the maintenance and administration of asthma medicine at a school campus subject to a policy adopted under new TEC §38.208(a-1). The rules must also establish the amount of prescription asthma medicine available at each campus.</p> <p>The supply of asthma medicine at each campus must be stored in a secure location and be easily accessible to the school nurse.</p> <p>The policy described by TEC §38.208(a-1) may not require a school district, open-enrollment charter school, or private school to purchase prescription asthma medicine or require any other expenditure related to the maintenance or administration of asthma medicine that would result in a negative fiscal impact on the district or school.</p>
4	Amends TEC §38.211	This legislation amends the heading to TEC §38.211 to add "asthma medicine."
5	Adds TEC §38.211(b)(2)	This bill amends current TEC §38.211 to add "asthma medicine" throughout the section and to add new TEC §38.211(b)(2) requiring a physician or other person who prescribes asthma medicine under TEC §38.211(a) to provide the school district, open-enrollment charter school, or private school with a standing order for the administration of asthma medicine to a person reasonably believed to be experiencing a symptom of asthma and who has provided written notification and permission.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of implementation requirements (rules, study, contract, pilot program, etc.):**

HHSC in consultation with TEA will adopt rules regarding the maintenance and administration of asthma medicine.

**Summary of IT and Data Implications:**

None

# HB 2325

Author: Metcalf, Will

Sponsor: Hancock, Kelly

**Bill Summary:** House Bill 2325 requires that the Texas Division of Emergency Management develop standards for social media use and resources for state agencies and political subdivisions to use during and after a disaster. This bill also requires TEA to conduct community outreach, including public awareness campaigns, and education activities on disaster preparedness each year.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Government Code §§418.054- 418.059	<p>This bill requires the Texas Division of Emergency Management (TDEM) coordinate state and local government efforts to make 9-1-1 emergency service capable of receiving text messages.</p> <p>TDEM must develop standards for social media use during and after a disaster to be used by governmental entities. These standards must require state agencies, political subdivisions, first responders, and volunteers to use social media during and after a disaster, optimize the effectiveness of social media, and require certain official social media accounts be used during a disaster.</p> <p>The remainder of section 1 pertains only to TDEM and has no impact on TEA or public schools.</p>
2	Adds Government Code §418.127	TEA, among other agencies, must conduct community outreach, including public awareness campaigns and education activities on disaster preparedness each year.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

TEA has current and ongoing projects that would satisfy the requirement to conduct an awareness campaign including engagement with the Regional Education Service Centers.

### Summary of IT and Data Implications:

None

## HB 2424

Author: Ashby, Trent

Sponsor: Fallon, Pat

**Bill Summary:** House Bill 2424 amends current law to require the State Board for Educator Certification (SBEC) to establish a program to provide opportunities for educators to receive micro-credentials while fulfilling continuing education requirements.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
<b>1</b>	Amends TEC §21.451	SBEC is required to allow educators to receive micro-credentials in fields of study related to the educator’s certification class to satisfy continuing education requirements. This section requires that providers be approved to offer the micro-credential courses and that the micro-credential be recorded on the online system and included as part of the educator’s public certification records.
<b>2</b>	N/A	TEA is required to implement this legislation only if the legislature appropriates money specifically for the purpose of implementing the legislation.

**Effective Date:** Immediately

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

SBEC rules for certificate renewal are currently found in 19 Texas Administrative Code (TAC) Chapter 232. There will need to be additional rulemaking to incorporate micro-credentialing into the certificate renewal process. In addition, there will need to be website updates and extensive communication with educators and CPE providers regarding the micro-credentialing process and its connections to the current process for certificate renewal.

### Summary of IT and Data Implications:

Changes will be made to the Educator Certification Online System (ECOS) to incorporate micro-credentials into the existing system.

# HB 2526

Author: Leach, Jeff

Sponsor: Fallon, Pat

**Bill Summary:** House Bill 2526 adds to the list of persons entitled to admission to a school district for a person, if the person and either parent of the person reside in a residence homestead, as defined by Section 11.13(j), Tax Code, that is located on a parcel of property any part of which is located in the school district.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §25.001(b)	Section 1 adds to the list of persons entitled to admission to a school district a person if the person and either parent of the person resides in a residence homestead, as defined by Section 11.13(j), Tax Code, that is located on a parcel of property any part of which is located in the school district.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 2617

Author: Cole, Sheryl

Sponsor: Alvarado, Carol

**Bill Summary:** House Bill 2617 relates to fiscal year policies of newly created political subdivisions like school districts. Newly created subdivisions with taxing authority must have the same fiscal year as their county.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Government Code §140.012	A political subdivision created on or after the effective date of this act with taxing authority must establish their fiscal year as the same fiscal year for the county in which the subdivision is located.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**  
None

**Summary of IT and Data Implications:**  
None



## HB 2633

Author: Morrison, Geanie

Sponsor: Kolkhorst, Lois

**Bill Summary:** House Bill 2633 amends statute in both the Texas Alcoholic Beverage Code (TABC) and the Texas Education Code to allow for the consumption, possession, or sale of alcoholic beverages at a performing arts facility when leased to a nonprofit organization by a school district for a non-school event.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TABC §109.33	Section (f-1) is added to exempt a performing arts facility leased to a nonprofit organization under a policy adopted under Texas Education Code §11.179.
2	Adds TEC §11.179	TEC Subchapter D Ch. 11 is amended to allow a board of trustees of a school district to adopt a policy allowing the consumption, possession, and sale of alcoholic beverages at an event held at a performing arts facility owned by a school district. However, the performing arts facility must be leased to a nonprofit organization for an event not sponsored by the school district and the school district must be in a county of a population not more than 300,000 people and in which a component university of the University of Houston System is located. The event must also be held outside of regular school hours and be sold by a person who is appropriately licensed or permitted under the TABC to engage in that activity.
3	Amends TEC §38.007	This section exempts a performing arts facility leased to a nonprofit organization for an event as provided by TEC §11.179 as amended by this bill.
4	N/A	Section 5 of the bill states that the changes are not retroactive.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## HB 2706

Author: Capriglione, Giovanni

Sponsor: Nelson, Jane

**Bill Summary:** House Bill 2706 amends current law relating to authorized investments for governmental entities and requires a study of the investment and management of funds by public schools.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Government Code §2256.011(a)	This section makes conforming amendments to reference §§2256.013 and 2256.0204. Additionally, the section is amended to add a reference to §§2256.013 or 2256.0204, if applicable.
2	Amends Government Code §2256.013	Commercial paper is an authorized investment if the commercial paper has a stated maturity of 365 days or fewer from the date of issuance (previously 270 days or fewer).
3	Amends Government Code §2256.016	For purposes of an investment pool for which a \$1.00 net asset value is maintained, to be calculated in accordance with regulations governing the registration of open-end management investment companies. The investment pool must report the yield to its investors.
4	Adds Government Code §2256.0208	This section defines pledged revenue as money pledged for payment or a security for: bonds, obligations under lease, installment sale or other agreement, or certificates of participation in a debt or obligation.  The investment officer may invest bond proceeds or pledged revenue permitted by this chapter in accordance with statutory provisions and the local government's investment policy
5	Repeals Government Code §2256.0204(g)	This section repeals Section 2256.0204(g) (relating to corporate bonds not being an eligible investment for a public funds investment pool).
6	N/A	TEA must conduct a study on the investments and management of funds by school districts and open-enrollment charter schools and report it to the Governor and the Legislature by June 1, 2020.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

TEA must conduct a study regarding the investment and management of funds by school districts and open-enrollment charter schools. School districts (or the entity that manages a district's funds) must, upon TEA's request, provide information regarding the district's or school's investments, asset allocations, fees and risks, and the district's or school's cash flow, fund balances and other revenue sources. This report is due to the Governor, Lieutenant Governor, Speaker of the House, and each standing committee of the legislature by June 1, 2020.

### Summary of IT and Data Implications:

None

## HB 2778

Author: King, Tracy

Sponsor: Flores, Pete

**Bill Summary:** House Bill 2778 raises the aggregate county population eligibility requirement for agreed allocation of joint election expenditures from 46,100 to 55,000. This bill only affects school districts (not TEA).

**Section-by-Section Analysis:**

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §11.0581(e)	This section raises the aggregate county population eligibility requirement for agreed allocation of joint election expenditures from 46,100 to 55,000.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 2783

Author: Wilson, Terry

Sponsor: Buckingham, Dawn

**Bill Summary:** House Bill 2783 establishes the Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council and places a representative from the TEA on the Council.

**Section-by-Section Analysis:** Only the Sections affecting TEA or school districts are addressed below.

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Chapter 119A to the Health and Safety Code	This section establishes the Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council to advise the Health and Human Services Commission and legislature on research, diagnosis, treatment, and education related to the syndrome. The council is composed of 19 members including one member who is a representative of TEA with expertise in special education services. This TEA representative will be appointed by the governor no later than December 31, 2019.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

A TEA representative will be appointed and serve the newly established Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council.

**Summary of IT and Data Implications:**

None

# HB 2813

Author: Price, Four

Sponsor: Nelson, Jane

**Bill Summary:** House Bill 2813 places TEA on the statewide Behavioral Health Coordinating Council. The purpose of the council is to ensure a strategic statewide approach to behavioral health services.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Subchapter M-1 to Chapter 531, Government Code	This section establishes that the purpose of the statewide Behavioral Health Coordinating Council is to ensure a strategic statewide approach to behavioral health services. TEA must designate at least one representative to serve on the council. The council shall meet periodically and develop a strategic plan and expenditure proposal related to behavior health. Additionally, the council must annually publish an inventory of behavioral health programs and services funded by the state.

**Effective Date:** Immediately

**Does this Affect Charters:** No

### Summary of implementation requirements (rules, study, contract, pilot program, etc.):

TEA must appoint a representative to the statewide Behavioral Health Coordinating Council.

### Summary of IT and Data Implications:

None

# HB 2840

House Author: Canales, Terry

Senate Sponsor: Hughes, Bryan

**Bill Summary:** House Bill 2840 requires certain governmental bodies, including school district boards of trustees and governing bodies of open-enrollment charter schools, to allow each member of the public who desires to address the body regarding an item on the agenda for an open meeting to do so before or during the body’s consideration of that item.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Government Code §551.007	<p>Certain governmental bodies must allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body to do so before or during the body’s consideration of that item.</p> <p>Under this section, governmental bodies are granted rulemaking authority regarding the public’s right to address the body, including establishing rules that limit the total amount of time a member of the public can address the body on a given item. If the governmental body does not use simultaneous translation equipment in a manner that allows the body to hear the translated public testimony simultaneously, then the body must provide at least twice the amount of time for non-English speakers using a translator to address the body.</p> <p>A governmental body may not prohibit public criticism of the body, including criticism of any act, omission, policy, procedure, program or service (except for criticism that is otherwise prohibited by law).</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

School boards and open-enrollment charter school governing bodies must ensure open meetings held after September 1, 2019 comply with the requirements of HB 2840. These bodies will need to update their policies and procedures accordingly.

### Summary of IT and Data Implications:

None

# HB 2984

Author: Allison, Steve

Sponsor: Taylor, Larry

**Bill Summary:** House Bill 2984 would require the State Board of Education (SBOE) to adopt Texas Essential Knowledge and Skills (TEKS) for technology applications for grade kindergarten through grade 8 to include coding, computer programming, computational thinking, and cybersecurity.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §28.002(c-3)	This bill requires the SBOE to include coding, computer programming, computational thinking, and cybersecurity in the Texas Essential Knowledge and Skills (TEKS) for technology applications for kindergarten through grade 8. The SBOE must review and revise the technology applications TEKS every five years to ensure that the standards are relevant to student education and align to current or emerging professions.
2	Adds TEC §28.0181	<p>TEA must create a computer science strategic advisory committee to develop and provide recommendations for increasing computer science instruction and participation in public schools. The committee must be composed of at least 11 members and must include</p> <ul style="list-style-type: none"><li>• two members appointed by the governor;</li><li>• two members appointed by the lieutenant governor;</li><li>• two members appointed by the speaker of the house of representatives;</li><li>• one member appointed by the chair of the senate committee with primary jurisdiction over primary and secondary education;</li><li>• one member appointed by the chair of the senate committee with primary jurisdiction over higher education;</li><li>• one member appointed by the chair of the house of representatives committee with primary jurisdiction over primary and secondary education;</li><li>• one member appointed by the chair of the house of representatives committee with primary jurisdiction over higher education; and</li><li>• one member appointed by the chair of the State Board of Education.</li></ul> <p>The committee may choose to add additional members in a manner determined by the committee and at the committee’s discretion.</p> <p>In choosing the committee members, the governor, lieutenant governor, and speaker of the house of representatives must coordinate their six appointments to ensure that those committee members include:</p> <ul style="list-style-type: none"><li>• three educators who teach in a public school and are certified in computer science;</li><li>• one parent or person standing in parental relation to a student enrolled in a public school;</li><li>• one person employed in the technology industry; and</li><li>• one faculty member of an institution of higher education.</li></ul> <p>The governor must designate a presiding officer of the committee to serve in that capacity at the pleasure of the governor. The advisory committee may hold public meetings. TEA staff members must provide administrative support for the advisory committee.</p>

		<p>The advisory committee members are not entitled to compensation but are entitled to reimbursement for actual and necessary expenses incurred in fulfilling committee duties. Funding for the administrative and operational expenses of the advisory committee must be appropriated to TEA for this purpose.</p> <p>The advisory committee must submit a report to the governor and legislature no later than September 1, 2020. The report must include recommended changes to law including funding proposals and timelines to implement recommendations. The report must include recommendations intended to:</p> <ul style="list-style-type: none"> <li>• increase the number of certified computer science teachers;</li> <li>• increase the number of public high schools offering computer science courses;</li> <li>• increase the number of high school students enrolled in computer science courses;</li> <li>• encourage the enrollment of diverse student populations in computer science courses; and</li> <li>• expand computer science learning opportunities, including computer programming, computer coding, cybersecurity, and computational thinking, in public schools.</li> </ul> <p>The advisory committee is abolished January 1, 2021.</p>
<b>3</b>	N/A	As soon as practicable after the effective date of this Act, the members of the computer science strategic advisory committee must be appointed.
<b>4</b>	N/A	This section establishes that the bill would require the SBOE to take action to revise the standards no later than December 1, 2020.
<b>5</b>	N/A	This section establishes that the State Board of Education is required to implement this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the SBOE may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The legislation expressly requires the SBOE to adopt rules to incorporate the topics of coding, computer programming, computational thinking, and cybersecurity into the technology applications TEKS. The bill specifies that the SBOE must review and revise the technology applications TEKS no later than December 1, 2020.

Currently the SBOE reviews foundation area subjects on average, every eight years. This legislation requires an accelerated timeline compared to other subjects to review and revise the TEKS and the related instructional materials adoption.

**Summary of IT and Data Implications:**

New courses will likely be developed and will need to be added to the Service ID code table.



## HB 3007

Author: Turner, Chris

Sponsor: Powell, Beverly

**Bill Summary:** House Bill 3007 requires the agency to provide districts a copy of all source data supplied by an entity other than the district for which the agency considers when determining accreditation status and accountability ratings.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §39.059	This section requires that before the release of preliminary academic accountability ratings, the agency provide to districts a copy of all source data supplied by an entity other than the district for which the agency considers when determining accreditation status or assigning accountability ratings.
2	N/A	The bill will be effective for the 2019–20 school year.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

The data that would be affected by this bill includes Texas Success Initiative Assessment, SAT, ACT, Advanced Placement (AP), International Baccalaureate, and OnRamps outcomes. Currently TEA’s Performance Reporting Division releases these outcomes as matched to students in June prior to the August release of accountability ratings. In order to comply with Family Educational Rights and Privacy Act (FERPA), the agency matches outcome data to students in order to only release data applicable to each district. The agency cannot allow districts access to confidential student-level data that is not applicable to a district. Student-level data that cannot be matched to a specific district cannot be shared without violating FERPA.

### Summary of IT and Data Implications:

This bill requires Performance Reporting to provide to districts a report including all source data supplied by outside entities.

# HB 3011

Author: Turner, Chris

Sponsor: Powell, Beverly

**Bill Summary:** House Bill 3011 requires the Texas Higher Education Coordinating Board (THECB) to provide to districts a copy of all source data supplied by an institution of higher education for which the agency considers when determining accreditation status and accountability ratings.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §39.059	Section 1 adds §39.059 which would require the Texas Higher Education Coordinating Board to provide to districts a copy of all source data supplied by an institution of higher education for which the agency considers when determining accreditation status and accountability ratings.
2	N/A	This bill is effective for the 2019-2020 school year.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

## Summary of IT and Data Implications:

The data affected by this bill are outcomes of the Texas Success Initiative Assessment. Currently Performance Reporting releases these outcomes as matched to students in June prior to the August release of ratings. To comply with the Family Educational Rights and Privacy Act (FERPA), the agency matches outcome data to students in order to only release data applicable to each district. Student-level data that cannot be matched to a specific district cannot be shared without violating FERPA. The only data THECB could share with districts is data that was already matched to a student in that district.

## HB 3012

Author: Talarico, James  
Sponsor: Zaffirini, Judith

**Bill Summary:** House Bill 3012 requires a school district to provide to a student who is suspended, during the period of the student's suspension, regardless of whether the student is placed in in-school or out-of-school suspension, an alternative means of receiving all course work provided in the classes in the foundation curriculum that the student misses as a result of the suspension.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §37.005(e)	Existing law permits a principal or other appropriate administrator to suspend a student who engages in conduct identified in the student code of conduct as conduct for which a student may be suspended. This legislation requires a school district to provide to a student during the period of the student's suspension, regardless of whether the student is placed in in-school or out-of-school suspension, an alternative means of receiving all course work provided in the classes of the foundation curriculum the student misses because of the suspension. The district must provide at least one option for receiving the course work that does not require the use of the Internet.
2	Amends TEC §37.011(b)	Conduct that contains the elements of the offense of terroristic threat as described by Texas Penal Code §22.07(c-1), (d), or (e) is added to TEC §37.011(b). Under this section the juvenile court, the juvenile board, or the juvenile board's designee must: <ul style="list-style-type: none"><li>• if the student is placed on probation under Texas Family Code §54.04, order the student to attend the juvenile justice alternative education program in the county in which the student resides from the date of disposition as a condition of probation, unless the child is placed in a post-adjudication treatment facility;</li><li>• if the student is placed on deferred prosecution under Texas Family Code §53.03, by the court, prosecutor, or probation department, require the student to immediately attend the juvenile justice alternative education program in the county in which the student resides for a period not to exceed six months as a condition of the deferred prosecution or court-ordered probation, consider the length of the school district's expulsion order for the student; and</li><li>• provide timely educational services to the student in the juvenile justice alternative education program in the county in which the student resides, regardless of the student's age or whether the juvenile court has jurisdiction over the student.</li></ul>
3	N/A	This bill is effective for the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

TEA will need to update the guide for student discipline.

# HB 3145

Author: Toth, Steve

Sponsor: Creighton, Brandon

**Bill Summary:** House Bill 3145 clarifies within the Texas Family Code that school lunches, performances, and field trips are included in school activities that parents can attend.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Texas Family Code §153.073(a)	Section 1 provides that parents may attend, along with the existing allowance to attend school activities, school lunches, performances, and field trips.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 3217

Author: Ashby, Trent

Sponsor: Paxton, Angela

**Bill Summary:** House Bill 3217 removes the prohibition against a bachelor’s degree in education being allowed for candidates seeking teacher certification. This bill also removes the maximum number of semester credit hours in education courses.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §21.050	Section 1 incorporates the title of the section. This bill changes field-based experience in the title.
2	Amends TEC §21.050(a) and (b)	Section 2 incorporates the required academic degree required for a teaching certificate and the required field-based experience required for a teaching certificate.  The bill expands the required bachelor’s degree to allow for an academic major in education. This bill removes the maximum number of semester credit hours in education, instead asking the board to provide a minimum number of semester credit hours of field-based experience or internship be included in the credit hours needed for certification

**Effective Date:** Immediately

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

Educator preparation programs at institutions of higher education may now offer a degree with an academic major of education. They would have to ensure that their field-based experience hours align with the minimum number and are included in the total credit hours needed for certification.

### Summary of IT and Data Implications:

None

# HB 3435

Author: Bowers, Rhetta  
Sponsor: Johnson, Nathan

**Bill Summary:** House Bill 3435 would establish March 1<sup>st</sup> as Texas Girls in STEM Day.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Government Code §662.071	March 1 <sup>st</sup> is designated as Texas Girls in STEM Day to celebrate and encourage the participation of girls in Texas in fields related to science, technology, engineering, and mathematics. Texas Girls in STEM Day must be regularly observed by appropriate ceremonies, activities, and programs in public schools, public institutions of higher education, and other places to encourage girls in this state to consider career fields in STEM and celebrate and honor the women of Texas who have excelled in those fields.
2	Adds TEC §29.925	Throughout the month of March, school districts may include appropriate instruction, activities, and programs to encourage and celebrate women in careers related to STEM. The instruction may include programs that profile women in those fields and related fields, including finance, information technology, data analytics, cybersecurity, and health care cloud architecture.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## HB 3630

Author: Meyer, Morgan  
Sponsor: Lucio, Jr., Eddie

**Bill Summary:** House Bill 3630 prohibits the use of certain behavioral intervention on students with disabilities enrolled in public schools.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §37.0023	<p>This section defines an aversive technique as a technique or intervention that:</p> <ul style="list-style-type: none"> <li>• Is designed or is likely to cause physical pain;</li> <li>• Is designed or is likely to cause physical pain through the use of electric shock;</li> <li>• Releases noxious, toxic or unpleasant substances near a student’s face</li> <li>• Denies basic needs or the access to basic needs (food, water, shelter, restroom);</li> <li>• Subjects a student to verbal abuse or humiliation resulting in emotional trauma;</li> <li>• Employs devices, objects, and materials used to restrict or immobilizes a student’s four extremities, including uses to restrict, and prone or supine floor restraints;</li> <li>• Impairs a student’s breathing or obstructs his/her airway, restricts circulation, secures a student to a stationary object in a sitting or standing position, inhibits a student’s ability to communicate, uses chemical restraint, precludes adequate supervision of the student, and/or deprives the student of the use of his/her senses; and</li> <li>• Constitutes the use of a timeout that precludes the student from being able to be involved in and progress appropriately in the required curriculum.</li> </ul> <p>This section prohibits a school district, school district employee, volunteer, or independent contract from applying, authorizing, ordering, or consenting to the use of an aversive technique on a student. An aversive technique is allowed to be used if the technique does not cause a student pain or discomfort or if it complies with the student’s individualized education program (IEP) or behavior plan. Students may be removed from class as allowed by TEC §37.002.</p> <p>The Commissioner is required to provide guidance to school district employees, volunteers, and independent contractors in avoiding a violation of this section.</p>
2	N/A	This bill applies the beginning with the 2019-2020 school year.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The Commissioner will provide guidance to school district employees, volunteers, and independent contractors in avoiding a violation of this legislation. This guidance will be posted on TEA’s website.

**Summary of IT and Data Implications:**

None

# HB 3650

Author: Turner, Chris

Sponsor: Creighton, Brandon

**Bill Summary:** House Bill 3650 adds to the requirements of any agreement between a school district and public institution of higher education to provide a dual credit program to high school students enrolled in the district. Districts and institutions must consider the use of free or low-cost educational resources offered under the program.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §28.009 (b-2)	This section amends TEC §28.009 (b-2) which outlines the requirements for any agreement, including a memorandum of understand or articulation agreement, between a school district and public institution of higher education to provide a dual credit program to require the district and the institution to consider the use of free or low-cost open educational resources in courses offered under dual credit programs.
2	N/A	This section provides that the new requirement applies only to an agreement to provide a dual credit program entered into or renewed on or after September 1, 2019. An agreement to provide a dual credit program entered into or renewed before September 1, 2019, is governed by the law as it existed at the time the agreement was entered into or renewed, and the former law is continued in effect for that purpose.

**Effective Date:** Immediately

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

School districts and institutions of higher education would be required to consider the use of free or low-cost open educational resources in courses offered under a dual credit program.

### Summary of IT and Data Implications:

None



# HB 3834

Author: Capriglione, Giovanni

Sponsor: Paxton, Angela

**Bill Summary:** House Bill 3834 requires certain state and local government employees must complete a cybersecurity training program that is certified by the state cybersecurity coordinator.

**Section-by-Section Analysis:** Only the Sections affecting TEA or school districts have been addressed.

Bill Section	Statute Added or Amended	Change from Current Law
1-2	Amends Government Code §2054.518(a)	The heading of Subchapter N-1, Chapter 2054, Government replaces the work “state” with “cybersecurity.”  Section 2 strikes language authorizing the Department of Information Resources (DIR) and a national cybersecurity organization. The agreement may no longer include provisions for providing fee reimbursements for industry certification exams for and training to state agencies, developing and maintaining cybersecurity risks and incident curriculum, or delivering routine trainings to state agency personnel.
3	Adds Government Code §2054.5191	§2054.5131 requires that a state employee who uses a computer at least 25% of the time must complete a cybersecurity training developed by DIR at least one per year. Local government employees must also complete this training. Both local governmental authorities and state agencies may select the most appropriate training that has been certified by DIR and verify their employees have completed these trainings.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**  
None

**Summary of IT and Data Implications:**  
None.

## HB 3875

Author: Capriglione, Giovanni

Sponsor: Zaffirini, Judith

**Bill Summary:** House Bill 3875 requires state agencies to ensure that major information resource project purchases have cloud computing capabilities.

**Section-by-Section Analysis:** Only the Sections affecting TEA or school districts have been addressed.

Bill Section	Statute Added or Amended	Change from Current Law
1-2	Amends Government Code §2157.007	The heading of §2157.007 now reads “Cloud Computing Service” rather than “Consideration of Cloud Computing Service Purchase.”  Section 2 assigns the meaning of “major information resource project” as defined by Government Code §2054.003. State agencies must ensure that all automated information system or major information resource project purses are capable of being deployed and run on a cloud computing services. State agencies must take this into consideration when soliciting bids for projects and report certain information to the Legislative Budget Board or the quality assurance team in accordance with this section.
3	N/A	This bill applies only to purchases after the effective date of this act.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None.

## HB 3884

Author: Wilson, Terry  
Sponsor: Zaffirini, Judith

**Bill Summary:** House Bill 3884 assigns all responsibilities relating to the dissemination of bacterial meningitis information by school districts to the Department of State Health Services and removes and repeals any such responsibilities of TEA.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §38.0025(a) and (c)	Section 1 of the bill replaces all references of “agency” with “Texas Department of Health” or the term “department” removing the statutory duty of TEA to provide procedures and information to school districts in regard to dissemination of bacterial meningitis information.
2	Repeals TEC §38.0025(b)	Section 2 of the bill repeals §38.0025(b) which required TEA to consult with Texas Department of Health in prescribing the content of the information required to be provided to students under the statute.
3	N/A	Section 3 of the bill provides that the Act applies beginning with the 2019-2020 school year.
4	N/A	Section 4 of the bill provides that as soon as practicable after the effective date of the Act, the Department of State Health Services shall develop procedures under §38.0025 of the Education Code as amended by this Act.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 3906

Author: Huberty, Dan

Sponsor: Taylor, Larry

**Bill Summary:** House Bill 3906 makes significant changes to the state assessment program including the following:

- Eliminating the required assessments for separate writing assessments in grades 4 and 7
- Setting maximum time limits on grades 3–8 assessments and allowing for scheduling multiple parts of assessments over more than one day
- Requiring the agency to develop interim assessments
- Requiring the agency to pilot formative assessments
- Requiring the transition to electronic assessments

**Section-by-Section Analysis:**

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §39.022	This section establish that it is the policy of the state of Texas that the statewide assessment program is designed to provide assessment instruments that are as short as practicable and minimize the disruption to the educational program.
2	Amends TEC §39.023(a)	<p>Currently, students in grades three through seven must be assessed in mathematics annually without the aid of technology and in grade eight with the aid of technology on any assessment that includes algebra.</p> <p>Effective September 1, 2021, this bill amends TEC §39.023(a), to eliminate language related to the use of technology for mathematics assessments and simply require that mathematics be assessed annually in grades three through eight. This section also eliminates the requirement for grades 4 and 7 writing assessments.</p>
3	Amends TEC §39.023	<p>This bill amends TEC §39.023(a), to eliminate language related to the use of technology for mathematics assessments and simply require that mathematics be assessed annually in grades three through eight.</p> <p>This section adds new TEC §39.023(a-4) to allow the State Board of Education by rule to designate sections of the grades 3–8 mathematics assessments that may be completed with the aid of technology and must be completed without the aid of technology.</p> <p>This section amends TEC §39.023(a-12) (a) to establish that an assessment instrument may not have more than three parts and to require that a part of an assessment be designed so that</p> <ol style="list-style-type: none"> <li>1. If administered to students in grades 3 and 4, 85 percent of students will be able to complete that part within 60 minutes; and</li> <li>2. If administered to students in grades 5-8, 85 percent of students will be able to complete that part within 75 minutes.</li> </ol> <p>This section amends TEC §39.023(a-13) to allow the administration of assessments in multiple parts over more than one day.</p> <p>The bill adds TEC §39.023(a-14) to establish that Subsections (a-12) and (a-13) do not apply to the administration of assessment instruments for a grade level if, as a result of the time restriction imposed, the assessment instrument no longer complies with federal law, or is no longer valid and reliable, based on findings and recommendations made by the technical advisory committee or the educator advisory committee.</p> <p>New TEC §39.023(a-15) indicates that the timing restrictions in (a-12) and (a-13) do not apply to a classroom portfolio method used to assess writing performance.</p>

		<p>New TEC §39.023(a-16) prohibits an assessment instrument under this section from being administered to a kindergarten student except for the purpose of determining whether the student is entitled to the benefit of the Foundation School Program.</p> <p>This section amends TEC §39.023(b-1) to allow a classroom portfolio method used to assess writing performance to require a teacher to prepare tasks and materials.</p> <p>The amends subsection (c) to establish that the Algebra I EOC assessment may include one or more parts that prohibit the use of technology. This section also eliminates the language that requires the English I and English II EOC assessments to assess both reading and writing “in the same assessment instrument”. The bill also allows EOC assessments to be administered in multiple parts over more than one day.</p> <p>This section amends TEC §39.023(c-3) to prohibit assessment instruments administered under Subsection (a) or (c) from being administered on the first instructional day of a week.</p> <p>This section adds TEC §39.023(c-7) to indicate that the scheduling requirements in subsection (c-3) do not apply to a classroom portfolio method used to assess writing performance if student performance under that method is less than 50 percent of a student’s overall assessed performance in writing.</p> <p>New TEC §39.023(c-8) establishes that, beginning with the 2022-2023 school year, an assessment instrument developed for grades 3-8 and for EOC may not present more than 75 percent of the questions in a multiple-choice format.</p> <p>New TEC §39.023(o) requires TEA to adopt or develop optional interim assessment instruments for each subject or course for each grade level subject to state assessment. A school district may not be required to administer these interim assessment instruments. An interim assessment instrument must be predictive of the assessment instrument for the applicable subject or course for that grade level required and administered electronically. An interim assessment cannot be used for accountability purposes.</p>
4	Adds TEC §39.02302	<p>This section requires the Commissioner to appoint a technical advisory committee and an educator advisory committee. TEA would be permitted to compensate a member of the technical or educator advisory committee or reimburse the member for expenses incurred in the performance of duties related to service on the committee. The selection of or payment to a member of the technical or educator advisory committee is not subject to Chapter 2110 or 2254, Government Code.</p>
5	Adds TEC §39.0234	<p>This section requires TEA to ensure that assessment instruments required under TEC §39.023 are capable of being administered electronically.</p>
6	Adds TEC §§39.02341, 39.0236, and 39.0237	<p>This section adds new TEC §39.02302 to require the Commissioner to appoint a technical advisory committee and an educator advisory committee. TEA would be permitted to compensate a member of the technical or educator advisory committee or reimburse the member for expenses incurred in the performance of duties related to service on the committee. The selection of or payment to a member of the technical or educator advisory committee is not subject to Chapter 2110 or 2254, Government Code.</p> <p>This section adds TEC §39.0234 to require TEA to ensure that assessment instruments required under TEC §39.023 are capable of being administered electronically.</p>

		<p>This section adds new TEC §39.02341 to require TEA, in consultation with the SBOE, to develop a transition plan to administer all assessment instruments electronically beginning not later than the 2022-2023 school year. The plan must</p> <ul style="list-style-type: none"> <li>• evaluate the availability of Internet access for each school district in this state;</li> <li>• identify changes to state law or policy necessary to improve the availability of Internet access;</li> <li>• evaluate the state’s experience with administering online assessment instruments, including the occurrence or effects of power outages or other types of disruptions of Internet service, and actions taken by the state to mitigate the occurrence and effect of those disruptions; and</li> <li>• identify and evaluate actions taken by the state to improve the administration of online assessment instruments.</li> </ul> <p>TEA must implement the transition plan beginning on September 1, 2021. In order to ensure legislative approval of the transition plan, this subsection expires August 31, 2021.</p> <p>Not later than December 1, 2020, TEA must submit to the Governor, the Lieutenant Governor, Speaker of the House and the members of the legislature a report on the plan. The report must include information from school districts assessing the needs of those districts in transitioning to electronic administration; any recommended changes to state law to assist in the transition; and a recommended timeline for statewide implementation of electronic administration.</p> <p>§39.02341 expires September 1, 2023.</p> <p>This section would add new TEC §39.0236 to require the agency to establish a pilot program in which participating school districts administer to students integrated formative assessment instruments for subjects or courses for a grade level subject to assessment under TEC §28.006 or 39.023.</p> <p>A school district may elect to participate in the pilot program.</p> <p>A school district’s participation in the pilot program would not affect the district’s obligations regarding the administration of assessment instruments required under §39.023.</p> <p>Not later than December 1<sup>st</sup> of each even-numbered year, TEA must submit to the Governor, the Lieutenant Governor, Speaker of the House and the members of the legislature a report on the pilot program that includes an analysis of whether the administration of integrated formative assessment instruments under the pilot program provided any improvement in instructional support during the preceding two school years; and a determination of the feasibility of replacing the assessment instruments required under Section 39.023 with integrated formative assessment instruments.</p> <p>This section adds TEC §39.0237 to establish that performance on an assessment instrument administered to students in prekindergarten may not be considered for any purpose under this chapter or Chapter 39A.</p>
7	Adds TEC §25.904	<p>New TEC §25.904, Use of Calculator Application in Place of Graphing Calculator, requires school districts to permit a student enrolled in a course requiring graphing calculators to use a calculator application on a computing device, including a personal, laptop, or tablet computer, that provides the same functionality, unless the district makes available to the student a graphing calculator at no cost to the student. School</p>

		districts may adopt policies related to student use of computing devices in accordance with this legislation. If conflicts exist with TEC §37.082, Possession of Paging Devices, this new section would prevail.
<b>8</b>	N/A	TEA may not use more than \$35 million annually of Foundation School Program funds appropriated to the agency to implement a provision of this Act.
<b>9</b>	N/A	TEA is required to implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, TEA may, but is not required to, implement a provision of this Act using other appropriations available for that purpose.
<b>10</b>	N/A	This section specifies that unless the Act provides for an effective date later than September 1, 2019, this Act applies beginning with the 2019-2020 school year.

**Effective Date:** This Act takes effect immediately, except Section 2 takes effect September 1, 2021.

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The SBOE is permitted to by rule to designate sections of a mathematics assessment instrument for a grade level that may be completed with the aid of technology and must be completed without the aid of technology. Furthermore, the bill requires the Commissioner to adopt rules necessary to implement the changes in law made by this legislation.

TEA must adopt or develop optional interim assessment instruments for each subject and course subject to assessment. Adopted assessments must be capable of electron administration.

The commissioner must appoint a technical advisory committee and an educator advisory committee to advise the commissioner and TEA regarding the development of reliable assessment instruments.

The agency must establish a pilot program in which participating school districts administer to students integrated formative assessment instruments for subjects or courses for a grade level subject to assessment under TEC §28.006 or 39.023. TEA must submit to the Governor, the Lieutenant Governor, Speaker of the House and the members of the legislature a report on the pilot program that includes an analysis of whether the administration of integrated formative assessment instruments under the pilot program provided any improvement in instructional support during the preceding two school years; and a determination of the feasibility of replacing the assessment instruments required under Section 39.023 with integrated formative assessment instruments.

In consultation with the SBOE, TEA must develop a transition plan to administer all assessment instruments electronically by the 2022-2023 school year. TEA must submit to the Governor, the Lieutenant Governor, Speaker of the House and the members of the legislature a report on the transition plan. The report must include information from school districts assessing the needs of those districts in transitioning to electronic administration; any recommended changes to state law to assist in the transition; and a recommended timeline for statewide implementation of electronic administration

**Summary of IT and Data Implications:**

None

# HB 4170

Author: Leach, Jeff

Sponsor: Kolkhorst, Lois

**Bill Summary:** House Bill 4170 is a general clean-up bill relating to nonsubstantive additions to, revisions of, and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 85th Legislature to other Acts of that legislature. Various sections of the Texas Education Code that apply to TEA and public schools are affected, as described in the section by section analysis of Sections 5.001 through 5.029 below.

**Section-by-Section Analysis:** Other than these bill sections and Section 22.001 of the bill, no other sections of the bill affect to TEA.

Bill Section	Change from Current Law
5.001-5.029	This bill is a general clean-up bill relating to nonsubstantive additions to, revisions of, and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 85 <sup>th</sup> Legislature to other Acts of that legislature. In particular, the following, in Sections 5.001-5.029 of the bill, the following sections of the Texas Education Code that apply to TEA are affected: 12.104(b); 21.0489; 31.001; 31,005; 31.021; 31.0211; 31.0211 (a) and (b); 31.0212 heading; 31.2012 (a)(b)(d) and (e); 31.0213; 31.214(a); 31.0215 heading; 31.0215 (b) and (c); 31.0231 (b); 31.029 (a); 31.031(a); 31.071(e); 31.081(e); 31.083; 31.101(f); 31.151(d); 39.053(a-2); 39.101; 39A.002; 39A.060; 41.124(c); and 43.001(d).

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None



## HB 4205

Author: Craddick, Tom

Sponsor: Perry, Charles

**Bill Summary:** House Bill 4205 describes the conditions under which an agency-ordered closed campus could be repurposed/reopened to serve the same students at the campus and the conditions under which the agency must approve turnaround plans that utilize the accelerating campus excellence turnaround model.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §39A.105	<p>This section specifies the contents required in an accelerating campus excellence turnaround plan. These requirements include details on the method of restructuring the campus, detailed description of the academic programs to be offered at the campus, conditions on the plan if it includes a district-charter partnership, and written comments from parents and community members, and a detailed budget and staffing plan.</p> <p>Section (b) requires further detail related to the principal performance history, teacher performance histories, and methods for determining teacher performance history, additional detail on the compensation structure used on the campus, information related to plans for data driven instruction, positive school culture, family and community engagement, extended learning opportunities, wrap around services for students, use of a third party technical assistance provider, and provision of guidance by the Commissioner</p>
2	Amends TEC §39A.107	Section 2 requires the Commissioner to approve turnaround plans that meet the requirements described in Section 1.
3	Amends TEC §39.A113(a)(1)	<p>The new language describes condition under which a campus ordered closed by the Commissioner of education could be re-opened to serve the same students who previously attended the campus. These conditions are that the campus is operated by a non-profit organization with a governing board that is independent of the district, has a history of operating schools, serves more than 10,000 students, has been assigned an overall accountability rating of B or higher, and whose majority of schools are rated A or B.</p> <p>This section further specifies that the contract signed between the district and the non-profit organization must state that students residing in the attendance zone of the campus immediately before ordered closure can attend the new schools.</p>
4	Adds TEC §39A.116	This section states that a Commissioner decision is final.
5	N/A	The Commissioner must select one campus to submit an accelerated campus excellence turnaround. The accountability intervention timelines for that campus can be modified. The Commissioner must select one campus to submit an accelerated campus excellence turnaround plan as added by the Act. The accountability intervention timelines for that campus can be modified.

**Effective Date:** Immediately

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

Commissioner rule will be amended to define the terms in this bill. At the local level, the proposed statutory amendment would allow school districts with campuses ordered for closure to partner with an eligible nonprofit organization to operate at the campus.

**Summary of IT and Data Implications:**

None

# HB 4258

Author: Murphy, Jim

Sponsor: Campbell, Donna

**Bill Summary:** House Bill 4258 relates to approval by the attorney general of certain bonds financing an educational facility for certain charter schools.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §53.40(c)	Subsection (c) <i>The attorney general has the sole authority to review</i> , is added to §53.40. After reviewing the record of public notice and hearings relating to any bond financing an educational facility for an authorized charter, the attorney general may issue an approval as required by Section 147(f), Internal Revenue Code of 1986.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# HB 4310

Author: Dutton, Harold

Sponsor: Hughes, Bryan

**Bill Summary:** House Bill 4310 prohibits a school district from penalizing a teacher who does not follow a designated scope and sequence, if the teacher determines that students need additional time or less time to demonstrate proficiency in a specific set of standards unless documented evidence of a deficiency in classroom instruction is obtained through observation or substantiated and documented third-party information.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §28.0027	<p>This section requires school districts, in adopting a recommended or designated scope and sequence for a subject in the required curriculum in a particular grade level, to ensure sufficient time for teachers to teach and for students to learn the Texas Essential Knowledge and Skills (TEKS) for that subject and grade level.</p> <p>A school district may not penalize a teacher who does not follow a recommended or designated scope and sequence, based on the teacher's determination that the teacher's students need more or less time to demonstrate proficiency in the TEKS for that subject and grade level.</p> <p>A school district may take appropriate action with respect to a teacher who does not follow a recommended or designated scope and sequence based on documented evidence of a deficiency in classroom instruction obtained through observation or substantiated and documented third-party information.</p>
2	N/A	This section establishes that the Act applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

Districts will be required to ensure sufficient time is provided for teachers to teach and students to learn the required curriculum. This is already a requirement in administrative rule.

### Summary of IT and Data Implications:

None

## HB 4342

Author: Clardy, Travis

Sponsor: Taylor, Larry

**Bill Summary:** House Bill 4342 amends existing law related to the composition of the board of directors of the Texas School Safety Center by adding a member who is a professional architect.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §37.203(a) and (b)	This section adds a professional architect to the Texas School Safety Center advisory board. An additional member of the public is also added to board. Appointed members must serve staggered, two-year terms as described by this section.
2	N/A	The governor must appoint new members to the board no later than February 1, 2020.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## HB 4388

Author: Murphy, Jim  
Sponsor: Campbell, Donna

**Bill Summary:** House Bill 4388 requires the State Board of Education (SBOE) and the School Land Board (SLB) to provide each other quarterly reports on the assets and funds of the permanent school fund for which each board is responsible. The bill would also create the permanent school fund liquid account and require the School Land Board to send any funds not being used for a statutory purpose and not needed for the next 90-days to the liquid account to be managed by the SBOE.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
<b>1</b>	Adds TEC §43.0052	This section requires the SBOE, each quarter, to provide to the SLB a financial report on the portion of the permanent school fund assets and funds for which the SBOE is responsible. The report must include target and actual allocations, by asset type, based on fair market value or net asset value; investment performance by asset type; benchmarks and benchmark performances; and costs of implementing and administering the permanent school fund liquid account, including costs associated with contracts for professional investment management, investment advisory services, and custodial services for the account.
<b>2</b>	Adds Natural Resource Code §32.068	Each quarter, the SLB must provide to the SBOE a financial report on the portion of the permanent school fund assets and funds for which the SBOE is responsible. The report must include target and actual asset allocations, by asset type, based on fair market value or net asset value; investment performance by asset type; and benchmarks and benchmark performances.
<b>3</b>	Amends Natural Resources Code §51.402(c)	This section establishes that on January 1 <sup>st</sup> of each even-numbered year, the market value of the investments under Subsections (a)(6) and (8) may not exceed an amount that is equal to 15 percent of the market value of the permanent school fund on that date.
<b>4</b>	Adds Natural Resources Code §51.414	<p>This section adds new Natural Resources Code §51.414, Permanent School Funds Liquid Account, to establish the permanent school fund liquid account as an account in the permanent school fund in the State Treasury to be used by the SLB and the SBOE as provided by this section.</p> <p>Each quarter, the SLB must hold a meeting and adopt a resolution to release from the real estate special fund account funds designated under Section 51.401 that are not being used for a purpose listed in Section 51.402(a) and are not required for the SLB's anticipated cash needs for the 90-day period following the date of the meeting, to be deposited to the credit of the permanent school fund liquid account in the State Treasury.</p> <p>The SBOE may invest funds in the permanent school fund liquid account. The investments may be made only in liquid assets, in the same manner that the permanent school fund is managed by the SBOE.</p> <p>Investment income and realized capital gains derived from funds in the permanent school fund liquid account must be deposited in the State Treasury to the credit of the SBOE for investment in the permanent school fund. A deposit would not be required if the market value of the assets held in the permanent school fund liquid account is below cost.</p>

		<p>The SBOE may use funds in the PSF liquid account to pay for administrative costs associated with implementing this section, including costs associated with contracts for professional investment management, investment advisory services, or custodial services.</p> <p>The SLB must provide to the SBOE in each required quarterly report the board’s anticipated cash needs for the six-month period following the date of the report, to allow the SBOE to ensure that the SLB’s cash needs may be met as provided by Subsection (g).</p> <p>Not later than the fifth business day after the date of a request of the SLB, the SBOE must release from the permanent school fund liquid account funds to be deposited to the credit of the real estate special fund account in the State Treasury in an amount requested by the SLB.</p>
5	N/A	<p>The bill requires TEA, in consultation with the General Land Office, to conduct a study regarding distributions from the PSF to the Available School Fund that must cover certain topics, including the real value of distributions on a per student basis, the impact of data and methodological assumptions, alternative approaches, options to maximize distributions while preserving the PSF for future generations, and any other subjects relevant to the purpose of the study. TEA must complete the study by June 1, 2020 and may contract for assistance in conducting the study. This section expires January 1, 2021.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

TEA must complete the study described in Section 5 by June 1, 2020 and may contract for assistance in conducting the study.

**Summary of IT and Data Implications:**

None

# HB 4611

Author: Huberty, Dan

Sponsor: Taylor, Larry

**Bill Summary:** House Bill 4611 redefines the Available School Fund (ASF) to also include distributions from the General Land Office or School Land Board and add such distributions to the 50% set aside from ASF to the Technology and Instructional Materials Fund each biennium, subject to the General Appropriations Act. This is the enabling legislation for HJR 151.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §43.001(b)	Section 1 broadens the definition of the Available School Fund (ASF) include distributions from the Permanent School Fund (PSF) as provided by Section 5(g), Article VII, Texas Constitution.
2	Amends TEC §43.001(d)	Section 2 adds distributions from the PSF provided by Section 5(g), Article VII, Texas Constitution, to the 50% set aside from the ASF to the Technology and Instructional Materials Fund each biennium, subject to the General Appropriations Act.
3	N/A	The effective date of the Act would be January 1, 2020, but only if the constitutional amendment providing for increased distributions to the ASF is approved by voters (HJR 151). If the amendment is not approved, the Act would have no effect.

**Effective Date:** January 1, 2020

**Does this Affect Charters:** Yes

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

The bill should be read in conjunction with HJR 151. When HJR 151 takes effect, distributions from the ASF will increase by \$300 million to total \$600 million each year. The annual increase to the Technology & Instructional Materials Fund could be up to \$300 million, subject to the General Appropriations Act.

### Summary of IT and Data Implications:

None



## HCR 59

Author: Guillen, Ryan

Sponsor: Powell, Beverly

**Bill Summary:** House Committee Resolution 59 designates the second week of November as School Psychologist Appreciation Week.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	N/A	This resolution designates the second week of November as School Psychologist Appreciation Week. In accordance with Texas Government Code §391.004(d), the designation remains in effect until the 10 <sup>th</sup> anniversary of its passage.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None.

# HJR 151

Author: Huberty, Dan

Sponsor: Taylor, Larry

**Bill Summary:** This constitutional amendment would authorize the State Board of Education (SBOE), General Land Office (GLO), or School Land Board (SBL) to annually distribute up to \$600 million to the available school fund from revenue derived during that year from the land or properties of the permanent school fund. The enabling legislation for the amendment is HB 4611.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Article VII, Texas Constitution	<p>Section 1 increases from a maximum of \$300 million to a maximum of \$600 million the amount the SBOE, GLO, or SLB may annually distribute to the available school fund from revenue derived during that year from the land or properties of the permanent school fund (PSF).</p> <p>However, it is important to note that the SBOE does not currently receive revenue generated from PSF land or properties unless that revenue is transferred to it by the SLB. Absent such an action by the SLB, or law change resulting in the SBOE receiving such revenue, the SBOE would not be allowed to make the distributions authorized by the constitutional amendment.</p>
2	N/A	The amendment will be submitted to the voters on November 5, 2019, and the proposition shall read “The constitutional amendment allowing increased distributions to the available school fund.”

**Effective Date:** November 5, 2019 (approved by voters)

**Does this Affect Charters:** Yes

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

The bill should be read in conjunction with HJR 151. When HJR 151 takes effect, distributions from the ASF will increase by \$300 million to total \$600 million each year. The annual increase to the Technology & Instructional Materials Fund could be up to \$300 million, subject to the General Appropriations Act.

### Summary of IT and Data Implications:

None

## SB 2

Author: Bettencourt, Paul

Sponsor: Burrows, Dustin

**Bill Summary:** Senate Bill 2 makes significant revisions to the Tax Code. Property tax increases of more than three and a half percent would automatically require a voter approval election for taxing units other than school districts or special taxing units. Appraisal standards would be required to be set by the comptroller. Taxing entities would be able to reduce their tax rates below the voter approval tax rate and subsequently increase them again without triggering a voter approval election. The format of the tax rate notice would be extensively revised for clarity.

**Section-by-Section Analysis:** Only the Sections affecting the Texas education Agency or school districts have been addressed. The amendments made to school district tax rates have been moved from SB 2 to HB 3.

Bill Section	Statute Added or Amended	Change from Current Law
2	Amends Tax Code §1.045	Section 1.045 Tax Code provides that any references in law to effective tax rates would now be a reference to the no new revenue tax rate. Any reference in law to the rollback tax rate would now be a reference to the voter approval tax rate.
46	Amends Tax Code §26.05	Section 46 provides for changes to the dates by which school districts must hold election if they are seeking an adjustment to the voter approval tax rate. A school district would be required to adopt a tax rate before the later of September 30 <sup>th</sup> or the 60 <sup>th</sup> day after receiving the appraisal roll. A school district must also adopt a tax rate requiring an election no later than 71 days before the uniform election date which occurs in November of that year.
53	Amend Tax Code §26.08	The heading of this Section is changed to “AUTOMATIC ELECTION TO APPROVE TAX RATE OF SCHOOL DISTRICT.”
54	Amend Tax Code §26.08	Section 54 adds wildfire as a disaster exempting the district from holding an election to approve an increase in tax rates if increased expenditures are required as a result of the disaster.
75	Amends Government Code §403.302	<p>Section 75 amends Government Code §403.302 Government Code which determines the taxable value of a school district for use in the Foundation School Program. New Section (k) requires the comptroller to notify an appraisal district which they find to have a non-valid local value and the appraisal district is required to hold a public meeting to discuss the receipt of the notice.</p> <p>New section (k-1) requires the comptroller, after finding the appraisal district not valid for three consecutive years, to provide the appraisal district with recommendations regarding appraisal standards and methodology. If the appraisal district fails to remedy the non-valid findings after one additional year the comptroller will be required to notify the Texas Department of Licensing and Regulation which would be required to ensure the recommendations are implemented in the subsequent year. This Section of the bill could assist school districts in resolving valuation discrepancies between their appraisal district and the comptroller which can negatively impact their state funding.</p>

**Effective Date:** January 1, 2020

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

Certain school districts will be required to reduce their tax rates if they experienced a large upward increase in property value growth from the growth rate in the prior year.

**Summary of IT and Data Implications:**

None

## SB 11

**Author: Taylor, Larry**  
**Sponsor: Bonnen, Greg**

**Bill Summary:** Senate Bill 11 is a compilation of school safety policies and grants, including facilities upgrades, mental health supports and trainings, creation of threat assessment teams on each campus, compliance requirements related to multi-hazard and emergency operations plans, and establishment of a school safety allotment to districts, as well as a grant program for facilities improvements.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
<b>1</b>	Adds TEC §7.061	This section requires the Commissioner to adopt/amend rules to ensure that facilities standards provide a safe and secure environment and to continue to update those rules at least once each biennium.
<b>2</b>	Amends TEC §11.252(a)	Districts are required to include care policy required under section §38.036 within their annual district improvement plan.
<b>3</b>	Amends TEC §12.104(b)	Charter schools must follow school safety requirements under §§37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.207, and 37.2071.
<b>4</b>	Amends TEC §21.054(d) and (d-2)	Continuing education requirements for classroom teachers must include trainings how grief and trauma affect student learning and behavior and how evidence-based, grief-informed and trauma-informed strategies support the academic success of students affected by grief and trauma. These trainings must comply with the training required in §38.036(c) (1) and be approved by the Commissioner.
<b>5</b>	Amends TEC §25.081(a)	A school district may now operate for less than 75,600 minutes per school year if the Commissioner grants a waiver for a school district that requires each employed educator attend an approved school safety training course.
<b>6</b>	Adds TEC §25.0815	The Commissioner may provide waivers that allow for fewer minutes of operation and instructional time for districts that require each educator to attend a school safety training course. The waiver may not result in an inadequate number or instructional minutes for students or reduce the number of instructional time by more than 420 minutes. The Commissioner may adopt rules to implement.
<b>7</b>	Amends TEC §28.002	The State Board of Education must require school districts to incorporate instruction in digital citizenship into the district's curriculum, including information regarding potential criminal consequences of cyberbullying. This section applies with the beginning of the 2019-2020 school year.
<b>8</b>	Amends TEC §28.004	This section requires that a local school health advisory council duties must include in its recommendations policies related to suicide prevention and strategies to increase parental awareness regarding; <ul style="list-style-type: none"> <li>A. risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health and substance use disorders, and</li> <li>B. available community programs and services that address risky behaviors, suicide risks and behavioral health concerns.</li> </ul>
<b>9</b>	Amends TEC §37.0812	All school districts employing a peace or resource officer must create policy requiring officers complete education and training required by Section 1701.263 of the Occupation Code. Previously, only school districts with enrollment of 30,000 or more were subject to this requirement.
<b>10</b>	Amends TEC §37.108	A district's Multi-hazard Emergency Operations Plan (MEOP) must address prevention, mitigation, preparedness, response and recovery as defined by the Texas School Safety Center (TxSSC) in conjunction with Commissioner, commissioner of higher education, the Governor's office of homeland security.

		<p>A district’s MEOP must provide for:</p> <ul style="list-style-type: none"> <li>• substitute teachers to be trained in emergency response</li> <li>• all teachers including substitutes to have access to a communication device that allows contact with emergency services providers</li> <li>• measures ensuring district communication technology and infrastructure adequately allows for communication during an emergency</li> <li>• mandatory school drills.</li> </ul> <p>This section clarifies that a district will follow either audit procedures developed by TxSSC or by a person within the TxSSC registry. A district must provide a signed audit report to the TxSCC and certify that the district used their school safety allotment only for the purposes provided by this section. Audits must be conducted every three years.</p> <p>A district MEOP must include:</p> <ul style="list-style-type: none"> <li>• Chain of command that designates decision-making during a disaster</li> <li>• Provisions for responding to natural disaster, active shooter, or any other scenario required by TxSSC</li> <li>• Provisions for safety of students in portable buildings</li> <li>• Provisions for family notification in case of emergency</li> <li>• Policy for providing substitute teachers access to buildings/materials required to respond during emergencies or drills</li> <li>• The name of each person on the school safety and security committee and the date of each meeting.</li> </ul>
<b>11</b>	Adds TEC §§37.1081 and 37.1082	<p>Section 11 describes actions school district must take if found non-compliant with MEOP requirements. This section requires a public hearing on the MEOP noncompliance if the board receives notice of noncompliance regarding the submission or correction of deficiencies in the MEOP or their safety and security audit.</p> <p>The Commissioner may appoint a conservator to order district adopt, implement and submit MEOP and may appoint board of managers if district fails to comply with the conservator.</p>
<b>12</b>	Amends TEC §37.109	<p>A district’s school safety and security committee must include a range of representatives that include: representative of office of emergency management from local city or county, local police dept or sheriff’s office, district police department, municipality, president of district’s board of trustees, member of district’s board of trustees other than president, district superintendent, at least one classroom teacher, member of charter governing body if district partners with charter, and two parents or guardians of students enrolled in the district.</p> <p>The committee shall provide recommendations on updates to the multihazard Emergency Operations Plan (EOP) in accordance with TxSSC best practices or those of a person included in TxSSC registry. The committee must consult with local law enforcement on methods to increase campus-presence. Committees are required to meet at least once during each academic semester and once during the summer</p> <p>Committees is subject to Chapter 551 and may meet in executive session. Must follow same requirements as posting for district’s board of trustees.</p>
<b>13</b>	Adds TEC §§37.113,	<p>A district that receives a bomb or terroristic threat must notify the parents or guardians of students on that campus as soon as possible.</p>

	37.114, and 37.115	<p>The Commissioner, in consultation with the TxSSC and the state fire marshal shall adopt rules providing procedures for evacuating and securing school property during an emergency and designating the number of mandatory school drills (not to exceed 8 total).</p> <p>In coordination with the TxSSC, the Commissioner must adopt rules to establish a safe and supportive school program. The rules must incorporate research-based practices for school safety.</p> <p>Each school district’s board of trustees must establish a threat assessment and safe and supportive school team responsible for determining the appropriate method for assessment and intervention of individuals who make threats of violence or exhibit threatening behaviors on the campus. Policies and procedures adopted by the team must be consistent with best practices as established by TxSSC. Threat assessment teams must complete training provided by TxSSC or Education Service Centers regarding evidence-based threat assessment programs.</p> <p>Members of the Threat Assessment Team are appointed by the superintendent and include members with expertise in counseling, classroom instruction, school administration, and law enforcement. A team may serve more than one campus.</p> <p>A threat assessment team shall assess and report individuals who make threats of violence or exhibit threatening behavior and provide guidance to students and school employees regarding recognizing threatening behavior and reporting potential threats. Threat assessment teams shall report determinations on students/ others who pose serious risk of threat to the superintendent. For students, the superintendent shall attempt to inform the parent/guardian. This does not prevent staff from acting to prevent an immediate threat. If the threat assessment team identifies a student at risk of suicide, they shall act in accordance with the district’s suicide prevention program. If the threat assessment team identifies a student possessing alcohol, tobacco, or drugs, they shall act in accordance with district policies/procedures related to substance abuse prevention/ intervention.</p> <p>The threat assessment team must report to the agency regarding the team’s activities, the occupation of each person on the team, the number of the threats and description of types of threats, the outcome of threat assessments. Reported outcomes include disciplinary, law enforcement, or referrals to counseling or other services. The threat assessment team must also report the total number of citations, arrests, and incidents of uses of restraint, disaggregated by student gender, race and status receiving special education services. Districts can establish a committee or assign a committee to oversee the operations of threat assessment teams. It must include members with expertise in human resources, education, school administration, mental health, and law enforcement.</p>
<b>14</b>	Amends TEC §37.207	The TxSCC is authorized to require a district submit its MEOP for review if audit results indicate a district’s non-compliance. The TxSCC must provide written notice to non-compliant districts. The TxSCC must notify TEA of non-compliant school districts related to the MEOP audit.
<b>15</b>	Adds TEC §37.2071	<p>TxSSC shall establish a random or need-based cycle for the center’s review and approval of MEOPs which provides for a review of each district’s plan. A school district is required to submit its MEOP to the TxSCC upon the center’s request. Upon review of a district’s MEOP, the TxSCC must:</p> <ul style="list-style-type: none"> <li>• verify the plan meets TxSCC requirements</li> </ul>

		<ul style="list-style-type: none"> <li>provide the district with written notice of the MEOP's deficiencies and what the district must correct.</li> </ul> <p>For school districts that fail to submit their MEOP, the TxSCC must provide the district with written notice that the district has failed to submit a plan and is required to submit a plan to TxSCC for review and verification. Districts may revise and resubmit their plan to the TxSCC for approval. Districts must submit their revisions within 3 months of being notified of the MEOP's deficiencies. If a district fails to submit revisions within 3 months, the TxSCC must notify the district and TEA of the district's non-compliance. After 6 months of non-compliance, the district will be subject to sanctions by TEA.</p>
16	Amends TEC §37.2091(d)	This section describes TxSCC requirements related to requiring persons providing school safety and security services to register with and provide certain information to TxSCC.
17	Adds TEC §37.220	The TxSCC, in coordination with TEA, must develop model policies and procedures to assist school districts in establishing and training threat assessment teams.
18	Adds TEC §38.036	<p>Each school district must implement a policy integrating trauma-informed practices in each school environment using resources developed by TEA</p> <p>School district must annually report to TEA campus-level data for the number of teachers, principals, and counselors who completed training.</p> <p>This section requires TEA update the 'Best-Practice List' developed in conjunction with the Health and Human Services Commission to address trauma. The Commissioner is required to adopt rules to implement this section.</p>
19	Adds TEC Chapter 38, Subchapter F	<p>Section 19 adds TEC §38.251 to develop a rubric to be used by the Regional Education Service Centers (ESCs) to identify mental health resources available to school districts in an ESC region. The rubric must be developed in conjunction with the Health and Human Services Commission (HHSC); the Department of Family and Protective Services (DFPS); the Texas Juvenile Justice Department (TJJD); the Texas Higher Education Coordinating Board (THECB); the Texas Child Mental Health Care Consortium (consortium); the Texas Workforce Commission (TWC); and any other state agency TEA considers appropriate. The rubric must provide for the identification of various mental health resources. The rubric must be updated by December 1 of odd-numbered years and provide the rubric to the ESCs. The first rubric must be distributed to ESCs by December 1, 2019.</p> <p>Section 19 adds TEC §38.252 and requires ESCs to use the rubric created by TEA to identify resources related to student mental health. ESCs are required to submit a report to TEA on the resources identified using the rubric no later than March 1 of even-numbered years. The first report must be submitted by the ESCs to TEA by March 1, 2020.</p> <p>Per new TEC §38.253, TEA must develop a list of statewide resources available to school districts to address mental health of students. TEA must develop the list in collaboration with HHSC, DFPS, TJJD, THECB, the Mental Health Care Consortium, TWC, one or more representatives of Communities In Schools programs, hospitals or other health care providers, community service providers, parent/educator/advocacy groups, and any entity TEA determines can assist in compiling the list. The list must include any resource available through an entity identified as a resource that provides evidence-based and promising programs and best practices. TEA must revise the list no later than March 1 of each even-</p>

		<p>numbered year. TEA revise the list no later than March 1 of each even-numbered year (beginning on March 1, 2020).</p> <p>New TEC §§38.254 and 38.255 pertain to a statewide plan for mental health. TEA must develop a statewide plan to ensure all students have access to adequate mental health resources. The plan must be revised April 1 of even-numbered years and submitted to the legislature and posted on the TEA website. Additionally, TEA must hold public meetings in each ESC region to present the plan and provide an opportunity for public comment at each meeting. TEA shall consult with any person the agency believes is necessary to support goals: (educators, mental health practitioners, advocacy groups, parents). Per §38.255 TEA must use the statewide plan to develop and revise TEA's long-term strategic plan.</p> <p>In accordance with new TEC §38.256, TEA will submit a report to the legislature by November 1 of even-numbered years. This report must describe changes that TEA made to the rubric under §38.251 and an analysis of each region's progress toward meeting TEA's goals developed under the statewide plan.</p>
20	Adds TEC §48.168	From funds appropriated for that purpose, the Commissioner is required to provide to a school district an annual allotment in the amount provided by appropriation for each student in average daily attendance. The Commissioner is authorized to adopt rules to implement this section.
21	Amends TEC §45.001(a)	School districts may issue bonds to retrofit school buses with emergency, safety, or security equipment and for the purchase of retrofitting other vehicles used for these purposes.
22	Amends Health and Safety Code Chapter 113	This section creates and designates members of the Texas Child Mental Health Care Consortium. The consortium is administratively attached to the Texas Higher Education Coordinating Board.
23	Amends Health and Safety Code §161.325(d)	This section allows a school district to provide educational material to all parents and families that contain information on identifying risk factors
24	Amends Occupation Code §1701.263	All resource and peace officers must now complete an education and training program rather than just officers employed by districts with enrollment greater than 30,000.
25	See SB 500	The Commissioner must establish and administer a grant program to award grants to local education agencies to improve and maintain student and school safety.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The Commissioner is granted rulemaking authority in Sections 1, 6, 11, 13, 18, and 20. The Commissioner must review and approve instruction for continuing education for educators to include how grief and trauma affect student learning and behavior. TEA may impose sanctions on school districts if found non-compliant with certain requirements of this bill. The State Board of Education is granted rulemaking authority to require school districts to incorporate instruction in digital citizenship into the district's curriculum, including information regarding potential criminal consequences of cyberbullying.

School districts are required to adopt trauma-informed care policies and trainings, comply with facility standards established by Commissioner rule, update MEOPs, notify parents and guardians when certain threats occur, establish



and report information related to their threat assessment teams, and conduct audits following procedures established by the TxSCC.

**Summary of IT and Data Implications:**

TEA will need to update the Texas Student Data System to comply with the reporting requirements in Sections 13 and 18. Local education agencies must begin reporting at a campus level specific information related to the occupation of the members of the threat assessment team and related to specific threats and the resulting consequences and number of staff trained in specific trauma-informed care policy.

## SB 25

Author: West, Royce  
Sponsor: Turner, Chris

**Bill Summary:** Senate Bill 25 permits an institution of higher education (IHE), or a school district that offers international baccalaureate courses, dual credit courses, or any other course for which an IHE may award students college course credit to release student information to an IHE for purposes of transferring course credit.

**Section-by-Section Analysis:** Only the Sections affecting TEA or school districts have been addressed

Bill Section	Statute Added or Amended	Change from Current Law
6	Adds TEC §51.9715	<p>This section permits an IHE, or a school district that offers international baccalaureate courses, dual credit courses, or any other course for which an IHE may award students enrolled at the district college course credit, including course credit awarded by examination, to release student information to an IHE for purposes of transferring course credit to that institution or enabling the awarding of course credit by that institution, in accordance with federal law regarding the confidentiality of student information, including the FERPA, and any state law relating to the privacy of student information.</p> <p>TEC §51.9715(b) is amended to permit a school district to release student information as applicable through the National Student Clearinghouse or a similar electronic data sharing and exchange platform operated by an agent of the institution or districts that meets nationally accepted standards, conventions, and practices.</p>
7	Amends TEC §61.059(p)	<p>This section prohibits the Texas Higher Education Coordinating Board from including in its instruction and operations formula applicable to an IHE, any semester credit hours earned for dual course credit by a high school student for high school and college credit at the institution unless those credit hours are earned through any of the following:</p> <ul style="list-style-type: none"><li>• A course in the core curriculum of the institution providing course credit</li><li>• A course offered by the institution providing course credit in a field of study curriculum developed by the THECB or a program of study curriculum established by the THECB</li><li>• A career and technical education course that applies to any certificate or associate's degree offered by the institution providing course credit</li></ul> <p>A foreign language course</p>
13	N/A	<p>This section establishes that except for amendments to TEC, §51.96852 and §51.96853, this Act applies beginning with the 2019-2020 academic year. New TEC, §51.96852 and §51.96853 apply beginning with the 2021-2022 academic year.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 30

Author: Birdwell, Brian

Sponsor: Phelan, Dade

**Bill Summary:** Senate Bill 30 relates to ballot language requirements for a proposition seeking voter approval for the issuance of bonds.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §45.003(g) and (h)	<p>Notwithstanding §1251.052, Government Code, the issuance of bonds for the construction, acquisition, and equipment of school buildings in the district, the purchase of new school buses, and the purchase of necessary sites for school buildings may be submitted to the voters in a single ballot proposition, except bonds for each of the following purposes must be stated in a separate proposition:</p> <ol style="list-style-type: none"><li>(1) the construction, acquisition, or equipment of a stadium with seating capacity for more than 1,000 spectators;</li><li>(2) the construction, acquisition, or equipment of a natatorium;</li><li>(3) the construction, acquisition, or equipment of another recreational facility other than a gymnasium, playground, or play area;</li><li>(4) the construction, acquisition, or equipment of a performing arts facility;</li><li>(5) the construction, acquisition, or equipment of housing for teachers as determined by the district to be necessary to have a sufficient number of teachers for the district; and</li><li>(6) an acquisition or update of technology equipment, other than equipment used for school security purposes or technology infrastructure integral to the construction of a facility.</li></ol> <p>(h) The issuance of bonds for a building described by Subsection (g)(1), (2), (3), (4), or (5) must be printed on the ballot as a separate ballot proposition regardless of whether that building is proposed as part of the same complex or building that contains traditional classroom facilities. Each separate ballot proposition required by this subsection must state the principal amount of the bonds to be issued that constitutes the cost for construction of that portion of the building or complex attributable to the building described by Subsection (g)(1), (2), (3), (4), or (5) or to the traditional classroom facilities, as applicable.</p>
2	Amends Election Code §52.072 (e)	“Issuance of bonds” is removed from the text for a proposition to impose, increase, or reduce a tax.
3	Adds Government Code §1251 Subchapter A	Subchapter A is added: “Provision Relating Generally to County and Municipal Bond Elections.” This section designates certain sections to be in the Subchapter.
4	Adds Government Code §1251 Subchapter B	<p>Subchapter B is added: “Ballot for Debt Obligations Issued by Political Subdivision.” This section defines debt obligation and political subdivision.</p> <p>The ballot for voter approval seeking issuance of debt shall state:</p> <ol style="list-style-type: none"><li>(1) description of the single specific purpose for the debt obligation being authorized;</li><li>(2) total principal amount of debt obligation,</li><li>(3) taxes sufficient to pay the principal and interest of the debt.</li></ol>

		Each single specific purpose for which debt obligations requiring voter approval are to be issued must be printed on the ballot as a separate proposition. A proposition may include as a specific purpose one or more structures or improvements serving substantially the same purpose and may include related improvements and equipment necessary to accomplish the specific purpose.
5	Repeals Government Code §1251.002	§1251.002 Government Code is repealed.
6	N/A	Applies to elections on or after the effective date.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 37

Author: Zaffirini, Judith

Sponsor: Krause, Matt

**Bill Summary:** Senate Bill 37 prohibits state licensing authorities, including the State Board for Educator Certification (SBEC) to deny, revoke, suspend, or fail to renew a professional license due to the individual being in default on a student loan.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Texas Occupation Code Chapter 56	This section amends the heading to Chapter 56, Texas Occupations Code (TOC), to “Disciplinary Action Against Recipient of Student Financial Assistance Prohibited.”
2	Amends TOC §56.001	This section redefine the following terms: “licensing authority,” “scholarship contract,” “student loan,” and “student loan repayment contract.”
3	Amends TOC §56.003	A new heading is added to read “Disciplinary Action in Event of Default or Breach Prohibited.” Amendments to this section also delete existing text providing a licensing agency with authority to take certain actions against a person who has failed to meet his or her contractual obligations by defaulting on a student loan or breaching a student loan repayment contract. No other substantive changes made.
4	Amends Finance Code §§157.0151(f) and (g)	<p>Subsection (f) provides the savings and mortgage lending ommissioner authority to deny the renewal application for a residential mortgage loan originator license for the same reasons and grounds for denial of an original application for license, excluding a person defaulting on a student loan.</p> <p>Subsection (g) deletes the commissioner’s authority to deny the renewal application for a residential mortgage loan originator license if the person seeking the renewal of that license is in default on a student loan administered by the Texas Guaranteed Student Loan Corporation, under Section 57.491 (Loan Default Ground for Nonrenewal of Professional or Occupational License), Education Code. Amendments also creates Subdivision (3) from former Subdivision (4) and makes non-substantive changes.</p>
5	Amends Finance Code §180.55(d)	This section confirms that during the three-year period proceeding the date of the application, an individual’s default on a student loan cannot be used to determine that he or she is not financially responsible.
6	Amends Government Code §466.155 (a) and (g)	<p>Subsection (a) requires the director of the lottery division (director), after a hearing, to deny an application for a license or the Texas Lottery Commission(commission) to suspend or revoke a license if the director or commission, as applicable, finds that the applicant or sales agent:</p> <ul style="list-style-type: none"><li>○ (1)-(2) makes no changes to these subdivisions;</li><li>○ (3) deletes existing text relating to the individual being in default on a loan made under Chapter 52 (Student Loan Program), Education Code, or in default on a loan guaranteed under Chapter 57 (Guaranteed Student Loans), Education Code, and makes nonsubstantive changes; or</li><li>○ (4)-(5) makes no changes to these subdivisions.</li></ul> <p>Subsection (g) deletes existing text that included the Texas Higher Education Coordinating Board and the Texas Guaranteed Student Loan Corporation among a list of agencies required to provide the executive director of the commission with a report of persons who have been finally determined to be delinquent in the payment of any money owed to or collected by that agency.</p>

7	Repealers	<p>Section 7 repeals the following:</p> <ul style="list-style-type: none"> <li>• §57.491 (Loan Default Ground for Nonrenewal of Professional or Occupational License), Education Code.</li> <li>• §82.022 (c) (relating to the nonrenewal of the license of a lawyer who is in default on a loan), Government Code.</li> <li>• §154.110(e) (relating to the nonrenewal of the certification of a court reporter who is in default on a loan), Government Code.</li> <li>• §56.001(1) (relating to the definition of “administering entity”), Occupations Code.</li> <li>• §56.002 (Applicability), Occupations Code.</li> <li>• §56.004 (Rebuttable Presumption), Occupations Code.</li> <li>• §56.005 (Rescission of Action), Occupations Code.</li> <li>• §56.006 (Reinstatement of Action), Occupations Code.</li> </ul>
8	N/A	<p>A disciplinary action proceeding under Chapter 56, Occupations Code, that was initiated before the effective date of this Act and that is pending on the effective date of this Act is terminated on that date.</p>

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 38

Author: Zaffirini, Judith

Sponsor: Lozano, J.M.

**Bill Summary:** Senate Bill 38 amends provisions of Chapter 37 of the Texas Education Code regarding hazing.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §37.151(6)	Section 1 clarifies the definition of hazing, which now includes coercing a student to take a drug or drink an alcoholic beverage in an amount that lead to intoxication. The enrolled version of the bill expands the definition of “organization” to include a student government, a band or musical group or an academic, athletic, cheerleading, or dance team, including any group or team that competes in the NCAA.
2	Amends TEC §37.155	Section 2 amends provisions related to when civil immunity may or may not be obtained for individuals reporting an incident of hazing.
3	Amends TEC §37.158	Section 3 provides more flexible court venue options for hazing prosecutions.
4	Amends TEC §51.936	This section of the bill only applies to postsecondary institutions.
5	N/A	Section 5 applies the provisions of the bill to offenses committed on or after the bill is effective.
6	N/A	Section 6 of the bill applies amendments to TEC §37.155 to civil causes of action accruing on or after the bill is effective.
7	N/A	Section 7 of the bill applies the amendments to TEC §51.936 beginning in the spring 2020 semester.
8	N/A	Section 8 of the bill provides that each post-secondary institution shall comply with TEC §51.936(c) by January 1, 2020.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 54

Author: Zaffirini, Judith

Sponsor: González, Mary

**Bill Summary:** Senate Bill 54 requires a study be conducted by the agency regarding methods and standards of evaluating students who attend regional day schools for the deaf and hard of hearing.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	N/A	TEA shall conduct a study regarding appropriate methods and standards to evaluate performance, separately from performance of other students, students who spend 50% or more of the school day at regional day schools for the deaf. Not later than September 1, 2020, the agency will provide a report of the study to each standing committee of the legislature related to public education. The section expires September 1, 2021.
2	N/A	Section 2 stipulates that the TEA is required to implement a provision of the bill only if the legislature appropriates money for that purpose. If not, the TEA may, but is not required to, implement a provision of the bill using other appropriations.

**Effective Date** Immediately

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

This bill requires a study be conducted by the agency regarding methods and standards of evaluating students who attend regional day schools for the deaf and hard of hearing.

### Summary of IT and Data Implications:

None



## SB 64

Author: Nelson, Jane

Sponsor: Phelan, Dade

**Bill Summary:** Senate Bill 64 relates to cybersecurity for information resources and creates new requirements for state agencies as it pertains to cybersecurity practices.

**Section-by-Section Analysis:** Only the Sections affecting TEA or school districts have been addressed.

Bill Section	Statute Added or Amended	Change from Current Law
5	Adds Government Code §656.047	This section permits a state agency to spend public funds as appropriate to reimburse an employee or administrator who serves in an information technology, cybersecurity, or cyber-related position for fees associated with industry- recognized certification examinations.
14	Amends Government Code §2054.1124	This section requires that no later than the 10 <sup>th</sup> business day after an eradication, closure, and recovery from a security breach, suspected breach, or unauthorized exposure, a state agency with notify the Texas Department of Information Resources of the event and the details of the event. The agency must include an analysis of the cause of the event.
18	Adds Government Code Ch. 2054, Subchapter R	Subchapter R, "Information Resources of Governmental Entities," requires state agencies and local governments shall consider using next generation technologies, including cryptocurrency, blockchain technology, and artificial intelligence.  The section further adds that a person who in good faith discloses to a state agency or other governmental entity information regarding a potential security issue with respect to the agency's information resources technologies is not liable for any civil damages resulting from disclosing the information unless the person stole, retained, or sold any data obtained as a result of the security issue.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 65

Author: Nelson, Jane

Sponsor: Phelan, Dade

**Bill Summary:** Senate Bill 65 amends current laws that apply to state agency requirements related to contracting and procurement.

**Section-by-Section Analysis:** Only the Sections affecting TEA or school districts have been addressed.

Bill Section	Statute Added or Amended	Change from Current Law
<b>1</b>	Amends Government Code §441.1855	An electronic contract solicitation must be maintained in its electronic form. A state agency is authorized to print and retain these documents in paper form if the agency provides for preservation, examination, and use of the electronic version.
<b>2</b>	Amends Government Code §2054.003(10)	“Major information resources project” is redefined as any relevant technology project a state agency identifies in its biennial operating plan with development costs that exceed \$5 million rather than \$1 million as in current law.
<b>4</b>	Amends Government Code §2054.1181	State agencies may not amend contracts subject to review by the Department of Information Resources (DIR) if the contract is at least 10% over budget or the contracted project is at least 10% behind schedule unless the agency conducts a cost-benefit analysis on cancelling or continuing the project and submits the analysis to quality assurance created by the comptroller, state auditor, legislative budget board and DIR. The quality assurance team composition and duties are described in Section 2054.158, Government Code.
<b>6</b>	Amends Government Code §2054.159	State agencies must provide the quality assurance team any verification and validation report or quality assurance report for each major information resources project. The report must be provided to the assurance team within 10 days of the team’s request for the report.
<b>7</b>	Adds Government Code §2054.160	For all major information resources projects valued at \$10 million or more, state agencies must submit the proposed terms of the contract to the quality assurance team before the negotiation process and submit the final, negotiated, and unsigned contract to the team for review. Agencies must comply with the team’s recommendations or submit to the team an explanation of why their recommendations are not applicable to the contract in question.  Before amending a contract, state agencies must notify the governor, lieutenant governor, speaker of the house, the presiding officer of the relevant standing committees, and the quality assurance team if the amendments to the contract will increase the initial contract value by 10% or more or if the amendment requires the contractor provide consultative services, technical expertise, or other assistance. Justification for the contract amendment must also be provided to the quality assurance team.
<b>10</b>	Adds Government Code §2054.303(a), (c), and (d)	State agencies must prepare a business case providing for jurisdiction of the project, including the anticipated return in terms of cost savings and efficiency, for each proposed major information resources project. If the state auditor determines additional monitoring is warranted for an agency, the agency must prepare a statewide impact analysis for the project. If requested by DIR, the agency must also prepare technical architectural assessment of the project.
<b>11</b>	Amends Government Code §2054.159(a) and (b)	The section removes requirements for agencies to file project plans with the assurance team and DIR before the agency takes certain actions and filing before the agency first issues a vendor solicitation.

12	Amends Government Code §2054.305	State agencies must develop a procurement plan with anticipated service levels and performance standards for each contractor before issuing a contract solicitation.
13	Amends Government Code §2054.307(a)	The agency's executive director must approve all documents required in Section 2054.307(a), Government Code.
14	Amends Government Code §2102.005	State agencies must consider methods for ensuring compliance with contract processes, contract controls, and monitoring agency contracts.
15	Amends Government Code §2155.089	State agencies must review vendor performance at least once a year during the contract term and at each key milestone identified for the contract if that contract exceed \$5 million. Additionally, state agencies must report the results of these performance reviews to the comptroller. A state agency may not extend a vendor contract until these results are reported to the comptroller.
20	Amends Government Code §2254.029(a)	A state agency must now post in the state business dialing before entering into a major consulting contract no later than the 30 <sup>th</sup> day before it enters into a contract. Previously, agencies needed to file with the secretary of state for publication in the Texas Register.
22	Amends Government Code §2254.031(a)	A state agency is required to comply with the requirements in Section 20 detailed above for any renewal, amendment, or extension of a major consulting contract. Requirements that a state agency file with the Secretary of State are removed.
23	Adds Government Code §§2261.0525 and 2261.054	<p>A state agency's procurement director must review the process and all documents used to assess vendors before the agency can award a contract. The director must certify that the agency assessed each vendor appropriately. All scoring changes must be justified in writing and reviewed and certified by an agency's procurement director. A procurement direct may delegate to a contract manager or equivalent position. All written certifications must be added to the contract file.</p> <p>If an agency awards a contract to any vendor other than the vendor that received the highest score, the agency must state in writing the reasons for this award decision.</p>
25	Adds Government Code §2261.204	For contracts for goods and services, a state agency must include in the contract file a written explanation for the agency's decision on whether to include in the contract provision for liquidated damages or another form of liability for damages that could be caused by the contractor. The file must also include written justification from any provisions in the contract that limits liability for contractor damages. Any modifications to the contract relevant to this provision must also be added to the file.
27	Amends Government Code §2261.254(d)	Signature authority can now be delegated to executive director or a deputy executive director of the agency for contracts exceeding \$1 million.
28	Adds Government Code §§2261.258 and 2261.259	<p>The 25 largest state agencies will be assigned one of the following ratings by the state auditor:</p> <ol style="list-style-type: none"> <li>1) Additional monitoring warranted;</li> <li>2) No additional monitoring warranted; or</li> <li>3) Reduced monitoring warranted.</li> </ol> <p>If a state agency uses an authorized centralized accounting and payroll system or software system for procurement of goods and services, that agency may electronically submit written justification, verification, notification, or acknowledgement requirements to the comptroller.</p>

29	Adds Government Code §§2262.053 and 2262.056	<p>A checklist ensuring agency compliance with state contracting rules and laws must be included in a state agency’s contract files. The comptroller shall create a model checklist, but a state agency may create its own consistent with the comptroller’s model.</p> <p>An agency’s contract manager or procurement director must review the contents of the contract file to ensure all required documents are included before the contract is awarded for the purchase of goods and services. This must be certified in writing. The manager or director may delegate certification authority.</p> <p>State agencies must notify the LBB at least 14 days before the agency rejects or approves a vendor’s proposed assignment if the contract is for a major information resources project or involves storing, receiving, processing, transmitting, disposing of, or accessing sensitive information in a country outside the US.</p>
31	N/A	State agencies must take the necessary actions to implement this act as soon practical.
32	N/A	Act applies only in relation to a contract for which a state agency first advertises or otherwise solicits bids, proposals, offers, or qualifications on or after the effective date.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

TEA must ensure all contracting and procurement procedures occurring on or after September 1, 2019 comply with these new requirements.

**Summary of IT and Data Implications:**

None

## SB 139

Author: Rodríguez, José

Sponsor: Moody, Joe

**Bill Summary:** Senate Bill 139 requires the agency to develop a notice by which school districts and charter schools provide to parents regarding their rights to a full and individual initial evaluation (FIIE) for special education. Additionally, the agency is required to establish a cost recovery program for certain school districts and charter schools who experience a significant increase in the number of evaluations of students for special education.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1(a)	Adds TEC §29.023(a)	<p>TEA is required to develop a notice for public distribution and make publicly available regarding changes in reporting requirements specific to the special education representation indicator in the Performance-Based Monitoring Analysis System Manual.</p> <p>In 2018 the Agency took the following actions to satisfy this section of the bill. The Agency made changes to the <a href="#">2018 PBMAS Manual</a> found on page 65 outlining the calculation for Indicator #11 SPED Representation only for federally required disproportionality analysis as a result of SB 160 from the 85<sup>th</sup> Regular Legislative Session. The proposed manual was posted to the Texas Register for comment along with 2 public hearings held prior to final adoption and implementation.</p>
1(b)	Adds TEC §29.023(b)	<p>Subsection requires LEAs to additionally include in the notice information for where their local processes and procedures for initiating a referral are located.</p>
1(c)	Adds TEC §29.023(c)	<p>Each LEA must provide the notice to parents, or upon request to anyone, regarding the rights of a child and the process available to initiate a referral for an FIIE for every child who attends school at any time during the 2019-2020 school year by a date established by the Commissioner. The notice must be available in English and Spanish and good faith made to provide to parent in their native language if other than English or Spanish.</p> <p>In 2018 the Agency took the following actions to satisfy this section of the bill. The Agency made <a href="#">Updates to the Student Handbook</a> language required by law in Texas Education Code (TEC) §26.0081, in both English and Spanish. These updated were provided to Local Education Agencies (LEAs) and required distribution to all students during the 2018-19 school year and beyond.</p>
1(d)	Adds TEC §29.023(d)	<p>The notice is in addition to the Parent’s Guide to the ARD Process, the Student Handbook Statement, and Notice of Interventions required by TEC §26.0081.</p> <p>In 2018 the Agency took the following actions to satisfy this section of the bill. The Agency provided notice to districts in a <a href="#">July 17, 2018 To the Administrator Addressed instructing LEA additional action requirements relating to OSEP required actions of the state relevant to Child Find notification activities</a>.</p> <p>Additional resources are currently being leveraged during the 2018-19 school year in support of providing specific information to parents and districts regarding Child Find and related requirements. Additional information regarding ongoing projects are listed on the <a href="#">Improving Special Education in Texas</a> website.</p>

<b>1(e)</b>	Adds TEC §29.023(e)	The bill permits the Commissioner to adopt rules necessary to implement the program.
<b>1(f)</b>	Adds TEC §29.023(f)	The section established by this bill would expire September 1, 2023.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

All aspects of this bill have been implemented based on the Special Education Strategic Plan and Corrective Action Responses provided to the Office of Special Education Programs (OSEP) in follow up to the Notice of Noncompliance and required actions received in January 2018.

**Summary of IT and Data Implications:**

None

## SB 213

Author: Seliger, Kel  
Sponsor: Huberty, Dan

**Bill Summary:** Senate Bill 213 extends the current expiration provisions from September 1, 2019 to September 1, 2023, for the statutes related to individual graduation committees (IGC), reporting for students who graduated based on the determination of an individual graduation committee, and alternate graduation requirements for students who entered ninth grade before the 2011-2012 school year but who have not met assessment graduation requirements.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §12.104(b-2) and (b-3)	<p>Currently, TEC §28.0258, High School Diploma Awarded on Basis of Individual Graduation Committee Review, requires districts and charter schools to convene an IGC for eligible students who have met curriculum requirements for graduation but who have not yet performed satisfactorily on no more than two of the required state end of course assessments. The IGC is required to make a determination regarding whether the student may graduate if the student meets certain requirements. Additionally, TEC §28.02541, Diploma for Certain Students Who Entered Ninth Grade Before 2011-2012 School Year, permits students who entered the ninth grade before the 2011-2012 school year and who successfully completed the curriculum requirements for graduation but who have not yet met high school assessment requirements for graduation to earn a high school diploma by satisfying certain requirements. Both statutes include provisions calling for their expiration on September 1, 2019.</p> <p>This bill amends TEC §12.104(b-2) and (b-3) to extend the current expiration provisions from September 1, 2019 to September 1, 2023 related to TEC §28.0258.</p>
2	Amends TEC §28.025(c-6)	This section extends the current expiration provisions from September 1, 2019 to September 1, 2023 related to TEC §28.0258.
3	Amends TEC §28.02541(a)	The reference to TEC §39.025(c-1) is changed to TEC §39.025(c-2).
4	Amends TEC §28.02541(g)	This section extends the current expiration provision for the section from September 1, 2019 to September 1, 2023.
5	Amends TEC §28.0258(l)	This section extends the current expiration provision for the section from September 1, 2019 to September 1, 2023.
6	Amends TEC §28.0259(e)	This section extends the current expiration provision for the section from September 1, 2019 to September 1, 2023.
7	Amends TEC §28.02591(a)	The bill amends TEC §28.02591(a) to extend the current expiration provision from September 1, 2019 to September 1, 2023 related to TEC §28.0258.
8	Amends TEC §39.025(a-2)	The bill amends TEC §39.025(a-2) as added by SB 149, 84 <sup>th</sup> Texas Legislature, Regular Session, 2015, to redesignate the subsection as §39.025(a-5). It would also extend the current expiration provision from September 1, 2019 to September 1, 2023 related to TEC §28.0258.
9	Amends TEC §39.025(a-3)	This sections extends the current expiration provision from September 1, 2019 to September 1, 2023 related to TEC §28.0258.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

Commissioner rules are not explicitly required; however, the commissioner will need to amend rules in Texas Administrative Code (TAC) §74.1025, Individual Graduation Committee Review, and §74.1027, Diplomas for Certain Individuals Who Entered Grade 9 Before 2011-2012 School Year, to align with this legislation.

**Summary of IT and Data Implications:**

None



# SB 232

Author: Menéndez, José

Sponsor: Bernal, Diego

**Bill Summary:** Senate Bill 232 requires school districts to notify parents of high school students , on or before September 1<sup>st</sup>, of each school year that students are not required to take Algebra II to graduate under the Foundation High School Program. The letter must contain information regarding potential consequences of not completing Algebra II.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §28.02123	<p>Current law requires the State Board of Education (SBOE) to adopt rules regarding graduation requirements under the Foundation High School Program. TEC §28.025 (b-1)(2) states that SBOE rules should require students to earn three credits in mathematics, including Algebra I, geometry, and any advanced mathematics course. Although Algebra II is an advanced mathematics course, students are not specifically required to take that course.</p> <p>TEC §51.803 states that a student is eligible for automatic college admission or certain Texas grants if the student graduates under the Foundation High School Program with a distinguished level of achievement. To earn the distinguished level of achievement, a student must complete Algebra II.</p> <p>This legislation requires school districts to notify by email or regular mail on or before September 1 of each school year the parents or legal guardians of high school students that students are not required to take Algebra II to graduate under the Foundation High School Program. The notification must include information regarding the potential consequences to a student of not completing an Algebra II course. Consequences include not being eligible for automatic college admission or certain financial aid including the TEXAS grant program and the Texas Educational Opportunity Grant program.</p>
2	N/A	This section establishes that the Act applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

**SB 241**  
**Author: Nelson, Jane**  
**Sponsor: Longoria, Oscar**

**Bill Summary:** Senate Bill 241 removes a data element regarding the percentage of teachers employed within one year of program completion from data the State Board for Educator Certification (SBEC) is required to publish.

**Section-by-Section Analysis:**

<b>Bill Section</b>	<b>Statute Added or Amended</b>	<b>Change from Current Law</b>
<b>1.01</b>	Amends TEC §21.0452(b)	Amends Section 21.0452(b), Education Code, to remove information regarding the percentage of teachers employed under a standard teaching certificate within one year of completing an educator preparation program from certain information the (SBEC) is required to make available and makes other conforming changes.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# SB 285

Author: Miles, Borris  
Sponsor: Thompson, Ed

**Bill Summary:** Senate Bill 285 amends Texas Government Code (TGC) Chapter 418 to add Sections 418.127, 418.128, and 418.129 that requires the Governor to issue a proclamation prior to each hurricane season regarding hurricane preparedness and to report on and ensure state agency preparedness for hurricanes. TEA already regularly updates its disaster-related preparedness plan and conducts disaster-related education and outreach activities.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Government Code §§418.127, 418.128, and 418.129	<p>This bill requires the Governor to issue a proclamation before each hurricane season that instructs 1) individuals to prepare the property and communities to hurricane season; 2) state agencies to review and update their hurricane preparedness plans; and 3) various local and state governmental entities, including TEA, to conduct, to the extent practicable, community outreach and education activities regarding hurricane preparedness between May 25<sup>th</sup> and May 31<sup>st</sup> of each year.</p> <p>Section 1 further amends current law to require the Governor to post reports on state agency hurricane preparedness on the Governor’s website and provides the Governor with authority to ensure that state agencies are able to respond to a hurricane.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 372

Author: Campbell, Donna

Sponsor: VanDeaver, Gary

**Bill Summary:** Senate Bill 372 allows open-enrollment charter schools to employ security officers and outlines the powers, privileges, and immunities that a security resource officer may have at an open-enrollment charter school to the same extent provided to traditional school districts.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §12.104	This section provides for an open-enrollment charter school to employ security personnel as resource officers in the same manner as provided for traditional school districts. This permits the governing board of a charter school to hire security personnel; but it does not require them to do so.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

Open-enrollment charter schools who elect to employ security personnel will need to involve their legal counsel in the contractual language reflected in the memorandum of understanding (MOU). The administration of the charter school will need to submit the terms of the MOU for the commissioner's review and approval. Language in TEC §31.081 requires a peace officer assigned to duty under §38.081 to execute and file a bond in the sum of \$1,000 payable to the charter school governing board with two or more sureties.

### Summary of IT and Data Implications:

None

# SB 435

Author: Nelson, Jane

Sponsor: Price, Four

**Bill Summary:** Senate Bill 435 adds opioid addiction, abuse and methods of administering an opioid antagonist to the list of topics for which a local district's school health advisory council must make recommendations to the board of trustees.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §28.004(c)	This legislation adds grade levels and curriculum for instruction regarding opioid addiction and abuse and methods of administering an opioid antagonist, as defined by Texas Health and Safety Code §483.101, to the list of topics for which a local district's school health advisory council must make recommendation to the district board of trustees.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 500

**Author: Nelson, Jane**

**Sponsor: Zerwas, John**

**Bill Summary:** Senate Bill 500 provides supplemental appropriations and reductions in appropriations to various state agencies including the Texas Education Agency. The sections impacting TEA are shown below. These include:

- A reduction of \$0.9 billion to the Foundation School Fund as a part of the biennial “true up” of public education funding sources;
- Appropriations totaling \$219.6 million for special education purposes;
- Approximately \$10.9 million for post-disaster recovery costs associated with the school shooting in Santa Fe;
- The amount of \$100 million for school safety-related facility improvements;
- A total of \$1.4 billion for Hurricane Harvey-related expenses; and
- Close to \$40,000 to support the adult high school diploma and industry certification charter school pilot program.

**Section-by-Section Analysis:** Only the Sections affecting the Texas education Agency or school districts have been addressed.

<b>Bill Section</b>	<b>Change from Current Law</b>
<b>29</b>	(Reduction) Appropriations to TEA from the Foundation School Fund (one of several sources supporting school funding) for the fiscal biennium ending August 31, 2019, are reduced by \$903,300,000. In addition, this section provides for a sum certain appropriation to the Foundation School Program (FSP) for the fiscal year ending August 31, 2019, of \$21,495,735,602.
<b>30</b>	(Addition) TEA is appropriated a total of \$219,554,812 for special education purposes, including the following:  (a)(1) \$33,302,428 to offset federal funds withheld or expected to be withheld as a result of a failure to maintain state financial support under the Individuals with Disabilities Education Act (IDEA) during state fiscal year 2012.  (a)(2) \$74,626,551 to distribute proportionately to school districts based on student enrollment in special education programs, as a part of a negotiated agreement with the federal government to prevent the withholding of federal funds as a result of a failure to maintain state financial support under IDEA during state fiscal years 2017 and 2018.  (a)(3)(A) \$50,000,000 to distribute as grants to school districts for special education services and related costs, including providing extended school year services to special education students, identifying students eligible to participate in special education programs, and providing compensatory services. These funds are subject to a reporting requirement by TEA to the Legislative Budget Board and the Governor’s Office.  (a)(3)(B) \$478,000 for information technology needs related to special education supports.  (a)(3)(C) \$61,147,333 to distribute proportionately to school districts based on student enrollment in special education programs.
<b>31</b>	(Addition) TEA is appropriated \$10,930,000 to provide a grant to a school district that experienced a school shooting resulting in one or more fatalities that occurred during the 2018-

	2019 state fiscal biennium, for uses relating to post-disaster recovery costs approved by the agency.  <i>Note, this section is specific to Santa Fe Independent School District.</i>
<b>32</b>	(Addition) TEA is appropriated \$100,000,000 to provide to public schools (including the School for the Blind and Visually Impaired and the School for the Deaf) to make school safety-related facility improvements. These include exterior doors with push bars, metal detectors at school entrances, vehicle barriers, security monitoring systems, active shooter alarm systems, two-way radio systems, perimeter security fencing, bullet-resistant glass at school entrances, and door-locking systems.
<b>33</b>	(Addition) TEA is appropriated a total of \$1,442,500,000 for Hurricane Harvey-related expenses, including the following:  1) \$271,300,000 for increased student costs, reduction in school district property values, and reductions of the amount owed by school districts due to disaster remediation costs as provided by Section 41.0931 Education Code (reduced recapture);  2) \$535,200,000 for the adjustment of school districts property value under Section 42.2523 of the Education Code and reimbursement of school districts for disaster remediation costs under Section 42.2524 of the Education Code (property value loss and disaster remediation for non-recapture districts); and  3) \$636,000,000 for the increased state costs under the Foundation School Program resulting from the reduction in school district property values associated with Hurricane Harvey.
<b>34</b>	(Addition) TEA is appropriated \$37,657 for the fiscal year ending August 31, 2019, to support the adult high school diploma and industry certification charter school pilot program.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# SB 504

Author: Seliger, Kel

Sponsor: Beckley, Michelle

**Bill Summary:** Senate Bill 504 allows postsecondary education and career counseling academies to include information regarding social-emotional learning and indicators of behavioral issues.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §33.009	Currently, state law authorizes by the Center for Teaching and Learning at The University of Texas at Austin to develop content for the postsecondary education and career counseling academies. This bill amends TEC §33.009 to allow the postsecondary education and career counseling academies to include information regarding social-emotional learning and indicators of behavioral issues.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None



## SB 522

Author: Zaffirini, Judith

Sponsor: Sanford, Scott

**Bill Summary:** Senate Bill 522 amends language in Subsection (f) and adds Subsection (f-1) to Texas Education Code (TEC) Section 30.002 which is specific to education for children with visual impairments. SB 522 replaces the term “functionally blind” with “visual impairment.” The bill also requires students with visual impairments to be provided with braille instruction unless their Individualized Educational Program (IEP) team determines it is not appropriate.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §30.002	<p>This section replaces the term “functionally blind” with “visual impairment.” It also adds language requiring a student’s IEP document to include the provision of braille instruction and the use of braille, unless the IEP team determines braille instruction to be inappropriate.</p> <p>This section also adds new languages requiring braille instruction to be provided by a teacher certified to teach students with disabilities. The subsection makes conforming changes by removing old language.</p>
2	N/A	This act applies beginning with the 2019-20 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 608

Author: Watson, Kirk

Sponsor: Paddie, Chris

**Bill Summary:** Senate Bill 608 is the Sunset bill for the School Land Board (SLB) and extends its existence from September 1, 2019 to September 1, 2031 and makes changes to the composition and operations of the SLB and the General Land Office regarding management of the Permanent School Fund (PSF). The SLB will be increased from three members to five with each of the two new members being selected by the Governor from a list of six nominees submitted by the State Board of Education (SBOE). The bill also requires an annual joint meeting of the SLB and SBOE to discuss PSF asset allocations and investments.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Natural Resources Code §32.003	Section 1 continues the existence of the School Land Board to September 1, 2031.
2	Amends Natural Resources Code §32.012	The composition of the SLB is changed from three to five members, with the two new members being selected by the Governor from a list of six individuals nominated by the SBOE. One member must be a resident of a county with a population of less than 200,000.
3	Amends Natural Resources Code §32.013	This section makes a conforming change to remove a reference to an appointee to the SLB by the Attorney General.
4	Adds Natural Resources Code §32.0161	This section requires a joint annual meeting between the SLB and the SBOE to discuss asset allocations and investments of the PSF and provides certain requirements for the members of each board who must attend the meeting.
5	Adds Natural Resources Code §32.0191	The SLB is required to develop and implement policies that clearly separate the policymaking responsibilities of the board and the management responsibilities of the land commissioner and staff of the General Land Office.
6	Adds Natural Resources Code §32.027	Certain training is required for all SLB members prior to their taking any official action, including being counted as a member in attendance at a meeting.
7	Adds Natural Resources Code §32.028	The SLB is required to maintain a system to act on complaints filed with the board and specifies certain duties and information about the complaints.
8	Amends Natural Resources Code §51.402	This section revises the calculation that limits the percentage of SLB assets compared to the entire PSF: on January 1 every even-numbered year, the market value of real estate and other real asset investments may not exceed 15% of all assets held by the SLB and the SBOE.
9	Amends Natural Resources Code §51.4021	Language is updated to replace the word “money” with “funds”.
10	Amends Natural Resources Code §51.412	Language is updated to replace the word “money” with “funds.” Additionally, this section, makes changes to the reports to the legislature submitted by the SLB. A provision requiring the amounts of all fees or other compensation paid by the SLB to investment managers, consultants, or advisors appointed or organizations contracted with under Section 51.4021, Natural Resources Code, is added. A report requiring the SLB to assess the return and economic impact of investments was removed from the statute.
11	Amends Natural Resources Code §51.413(b)	Language is updated to replace the word “money” with “funds”.

12	Amends Natural Resources Code §51.4131	Language is updated to replace the word “money” with “funds”.
13	N/A	This section requires the Governor to appoint members to the SLB in accordance with the provisions of the Act as soon as possible after the effective date of the Act.
14	N/A	This section specifies that changes to the requirements for SLB members applies to all SLB meetings on or after December 1, 2019.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 619

Author: Birdwell, Brian

Sponsor: Paddie, Chris

**Bill Summary:** Senate Bill 619 changes different sunset dates and gives more explicit direction to the Sunset Commission. In particular, TEA’s sunset date is changed from 2023 to 2027, and regional education service centers (ESCs) are removed from the sunset process, except that the Sunset Commission will review three ESCs selected by the commission and TEA, as well as TEA’s oversight of the three ESCs.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
2.03-5.01	N/A	Sections 2.03 -5.01 changes sunset dates for various agencies, including changing TEA’s sunset date from 2023 to 2027. The Sunset Commission will review three ESCs that serve diverse geographic and populations sizes selected by the commission and TEA, and the commission will review TEA’s oversight of the three ESCs.
6.01-6.04	N/A	Sections 6.01 to 6.04 repeal various laws, including Texas Education Code, Section 8.010, which places ESCs under the sunset review process.
7.01	N/A	Section 7.01 changes the definition of “state agency” for purposes of the Sunset Act.
7.02	N/A	Section 7.02 specifies that the Sunset Commission is a legislative agency and that a public member acts for the benefit of the legislature.
7.03	N/A	Section 7.03 concerns monitoring and recommendations of the Sunset Commission, including the direction to provide legislative services in support of recommendations.
8.01	N/A	Section 8.01 provides that, in the event of a conflict, this bill trumps any other bill of the 86 <sup>th</sup> Legislative Session regarding nonsubstantive additions and corrections to codes.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 668

Senate: Hughes, Bryan  
House: VanDeaver, Gary

**Bill Summary:** Senate Bill 668 relates to data collection, reporting, and notice requirements for certain educational entities. Article 2 of the bill directly concerns open-enrollment charter schools, establishing notice requirements related to expansion amendments.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1.01	Amends TEC §5.001	This section adds new subdivision (1-a) to establish that "Child who is homeless," "person who is homeless," and "student who is homeless" have the meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a.
1.02	Amends TEC §21.0452(b)	The State Board of Educator Certification is required to make available regarding each educator preparation program the perseverance of beginning teachers in the profession, based on information reported through PEIMS, providing the number of beginning teachers employed as classroom teachers for at least three years after certification in comparison to similar programs.
1.03	Amends TEC §25.001(b)	This section removes reference to 42 U.S.C Section 11302 from the definition of a homeless person.
1.04	Amends TEC §25.086(a)	This section removes reference to 42 U.S.C Section 11302 from a reference to a homeless child in the list of individuals who are exempt from the requirements of compulsory school attendance.
1.05	Amends TEC §25.086(i)	The following language is removed from this section: "In this subsection, 'student who is homeless' has the meaning assigned to the term 'homeless children and youths' under 42 U.S.C. Section 11434a."
1.06	Amends TEC §29.081(d)	This section removes a reference to "42 U.S.C. Section 11302, and its subsequent amendments" from reference to a homeless student in the list of students at risk of dropping out of school.
1.07	Amends TEC §29.153(b)	This section removes a reference to "child, as defined by 42 U.S.C. Section 11434a" from reference to a homeless student in the list of children who are eligible to enroll in prekindergarten classes.
1.08	Amends TEC §31.103(b)	This section strikes the deadline of June 1 of each year from the requirement that a school district or open-enrollment charter school make a requisition for instructional material using the online requisition program maintained by the Commissioner.
1.09	Amends TEC §33.906(a) and (c)	Reference in each subsection is changed from "homeless students" to "students who are homeless."
1.10	Amends TEC §38.209(a)	This section removes the commissioner of education from the list of individuals to whom a school district must report information related to the administration of an epinephrine auto-injector.
1.11	Amends TEC §38.0233(a)	This section deletes a reference to §39.233 "Recognition of High School Completion and Success and College Readiness Programs" that is repealed by section 3.01 of this bill.
1.12	Amends TEC §39.410(c)	This section deletes a reference to the online clearinghouse that is repealed by Section 3.0 of this bill

<b>1.13</b>	Amends Texas Government Code §2265.001(a)	This section amends Texas Government Code §2265.001(a) to add “other than a school district” to a reference to “any kind of district” in the definition of governmental entities.
<b>2.01</b>	Amends TEC §12.101	This section allows a charter holder to notify TEA of the opening of a new expedited campus up to 18 months prior to the opening. However, it does not require that the charter holder open the campus.
<b>2.02</b>	Amends TEC §12.1101	The notification requirements for new open-enrollment charter schools and expedited charter school campuses are changed to require the Commissioner develop a process for the notification of: <ul style="list-style-type: none"> <li>• Superintendents of affected districts</li> <li>• Boards of trustees of affected districts</li> <li>• Each member of the legislature that represents the geographic area to be served by the proposed school or campus</li> </ul>
<b>2.03</b>	Amends TEC §12.114	This section states that an expansion amendment may be submitted up to 18 months prior to the requested effective date. However, the request does not obligate the charter holder to complete the proposed expansion.
<b>3.01</b>	Repealers	This section would repeal the following sections of Texas Education Code <ul style="list-style-type: none"> <li>• Section 7.009 that establishes the Best Practices Clearinghouse</li> <li>• Section 25.007(a-1) that defines "students who are homeless" as the same meaning assigned to the term "homeless children and youths" under 42 U.S.C. Section 11434a.</li> <li>• Section 39.233 that requires the agency to develop standards for evaluating the success and cost-effectiveness of high school completion and success and college readiness programs</li> <li>• Section 44.903 that requires a school district to purchase for use in each type of light fixture in an instructional facility the commercially available model of light bulb that uses the fewest watts for the necessary luminous flux or light output; is compatible with the light fixture; and is the most cost-effective.</li> </ul>
<b>4.01</b>	N/A	This section establishes that the bill applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

TEC §12.101(b-10) in bill section 2.01 requires the Commissioner to, by rule, establish the 18-month timeline for expansion amendments. While current rules in Chapter 19 Texas Administrative Code (TAC) align closely with the bill language already, the Commissioner needs to amend §100.1033 to reflect it clearly. Additionally, this legislation requires the Commissioner by rule to adopt a procedure for providing notice regarding an application for a charter.

**Summary of IT and Data Implications:**

None

## SB 712

Author: Lucio, Jr., Eddie

Sponsor: Meyer, Morgan

**Bill Summary:** Senate Bill 712 prohibits the use of certain behavioral interventions on students enrolled in public schools.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §37.0023	<p>This section defines an aversive technique as a technique or intervention that:</p> <ul style="list-style-type: none"><li>• Is designed or is likely to cause physical pain,</li><li>• Is designed or is likely to cause physical pain through the use of electric shock</li><li>• Releases noxious, toxic or unpleasant substances near a student's face</li><li>• Denies basic needs or the access to basic needs (food, water, shelter, restroom)</li><li>• Subjects a student to verbal abuse or humiliation resulting in emotional trauma</li><li>• Employs devices, objects, and materials used to restrict or immobilizes a student's four extremities, including uses to restrict, and prone or supine floor restraints,</li><li>• Impairs a student's breathing or obstructs his/her airway, restricts circulation, secures a student to a stationary object in a sitting or standing position, inhibits a student's ability to communicate, uses chemical restraint, precludes adequate supervision of the student, and/or deprives the student of the use of his/her senses.</li><li>• Constitutes the use of a timeout that precludes the student from being able to be involved in and progress appropriately in the required curriculum</li></ul> <p>This section prohibits a school district, school district employee, volunteer, or independent contract from applying, authorizing, ordering, or consenting to the use of an aversive technique on a student. An aversive technique is allowed to be used if the technique does not cause a student pain or discomfort or if it complies with the student's individualized education program or behavior plan. Students may be removed from class as allowed by TEC §37.002.</p> <p>The Commissioner is required to provide guidance to school district employees, volunteers, and independent contractors in avoiding a violation of this section.</p>
2	N/A	This bill applies the beginning with the 2019-2020 school year.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

#### **Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The Commissioner will provide guidance to school district employees, volunteers, and independent contractors in avoiding a violation of this legislation.

#### **Summary of IT and Data Implications:**

Guidance regarding restraints may need to be updated in the Texas Education Data Standards (TEDS).

## SB 781

Author: Kolkhorst, Lois

Sponsor: Leman, Ben

**Bill Summary:** Senate Bill 781 addresses regulations for residential treatment centers and applications regarding such centers. The bill requires that the Health and Human Services Commission collaborate with TEA to determine best practices for educational services in a general residential operation.

**Section-by-Section Analysis:** Only the Sections affecting the Texas education Agency or school districts have been addressed.

Bill Section	Statute Added or Amended	Change from Current Law
1-9	N/A	Sections 1-9 of the bill have no impact on TEA or public schools.
10	Adds Human Resources Code §42.254	This section requires that the Health and Human Services Commission collaborate with TEA to determine best practices for educational services in a general residential operation, including the most effective educational plans and best practices for implementing those plans. Section 10 of the bill also addresses issues related to potential impacts on school districts by residential centers.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None



## SB 819

**Author: Nelson, Jane**  
**Sponsor: Phelan, Dade**

**Bill Summary:** Senate Bill 819 amends current law related to state agency electronic information processes. This bill affects TEA and other state agencies but does not affect school districts or open-enrollment charter schools.

**Section-by-Section Analysis:** Only the Sections affecting the Texas education Agency or school districts have been addressed.

<b>Bill Section</b>	<b>Statute Added or Amended</b>	<b>Change from Current Law</b>
<b>2</b>	Adds Government Code §2054.070	Each state agency must prioritize using the central repository of electronic data established by the Texas Department of Information Resources (DIR) in accordance with §2054.070(a). Each state agency must actively collaborate with DIR on any issues related to publicly accessible data.
<b>3</b>	Amends Government Code §2054.071	This section requires TEA to designate an agency employee to serve as the agency's information resources manager. The employee may be designated to serve as a joint information resources manager by two or more agencies.
<b>4</b>	Amends Government Code §2157.007(b)	This section requires TEA to consider cloud computing service options in developing new information technology software applications.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The agency must designate an information resources manager.

**Summary of IT and Data Implications:**

None

## SB 820

**Author: Nelson, Jane**  
**Sponsor: Meyer, Morgan**

**Bill Summary:** Senate Bill 820 requires school districts to develop and maintain a cybersecurity policy. School districts will be required to designate a cybersecurity coordinator who will report cybersecurity attacks and incidents that constitute a cybersecurity breach to TEA. Additionally, the cybersecurity coordinator shall provide notice to the parent of the student whose information was subject to an attack.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §11.175	<p>Each school district shall develop and maintain a cybersecurity policy consistent with the information security standards for institutions of higher education adopted by the Department of Information Resources for the securing of district cyberinfrastructure against cyber-attacks and other cybersecurity incidents; and cybersecurity risk assessment and mitigation planning</p> <p>The superintendent of each school district shall designate a cybersecurity coordinator to serve as a liaison between the district and TEA in cybersecurity matters. The AskTED application will be modified to add the Role of Cybersecurity Coordinator to allow school districts to designate a Cybersecurity Coordinator.</p> <p>The district 's cybersecurity coordinator shall report to TEA any cyber-attack, attempted cyber-attack, or other cybersecurity incident against the district cyberinfrastructure as soon as practicable after the discovery of the attack or incident. Collecting data regarding any cyber-attack, attempted cyber-attack or cybersecurity incident against the district's cyberinfrastructure will require TEA to have a risk management application to handle the amount of data collected from the 1200+ districts. Additionally, the AskTED application will be modified to add the Role of Cybersecurity Coordinator to allow school districts to designate a Cybersecurity Coordinator.</p> <p>The districts cybersecurity coordinator shall provide notice to the parent of a student enrolled in the district of an attack or incident for which a report is required under subsection (e) involving the student's information.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

The AskTEd application will be modified to add a new field to allow school districts to designate a Cybersecurity Coordinator. Local education agencies will need to identify and designate a Cybersecurity Coordinator and report the individual to TEA. Implementation is expected in 2020-2021 school year.

## SB 869

Author: Zaffirini, Judith

Sponsor: Parker, Tan

**Bill Summary:** Senate Bill 869 amends the laws that regulate guidelines for policies of school districts and open-enrollment charter schools for the care of students at risk for anaphylaxis.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §38.0151	<p>Section 1 of the bill amends Texas Education Code (TEC) Sec. 38.0151 by amending Subsections (a), (b), and (e) and adding Subsections (g), (h), (i), and (j).</p> <p>The bill amends Subsection (a) to specify the guidelines that the policies required to be adopted by this subsection be based on “Guidelines for the Care of Students with Food Allergies At-Risk for Anaphylaxis” created by the ad hoc committee created by new TEC 38.0152. The guidelines must be scientifically valid.</p> <p>The bill amends Subsection (b) to state that open-enrollment charter schools must annually review their policies regarding the care of students with a diagnosed food allergy at risk for anaphylaxis to ensure it is in accordance with the guidelines discussed in Subsection (a).</p> <p>This bill amends Subsection (e) to mandate that TEA post the guidelines described by Subsection (a) on the TEA website, along with a summary of the guidelines, and to mandate that the summary be annually reviewed to ensure it is compliant with the most current version of the guidelines.</p> <p>This bill adds Subsection (g) to mandate that each school district and open-enrollment charter school post the TEA summary of the guidelines on the district or charter school’s website and include instructions on how to obtain access to the complete guidelines. The provision also requires that all students and parents of each district or charter school have access to the website and that any food allergy-related forms used at enrollment include information on accessing the information posted to the website</p> <p>New Subsection (h) prohibits the guidelines from requiring a district or charter school to: 1) purchase treatments approved by the FDA or make other expenditures that would have a negative fiscal impact on them; or 2) require administration of FDA-approved treatments to their students, unless prescribed by the students’ physicians.</p> <p>New Subsection (i) states that the section does not waive or create liability or waive immunity of districts and charter schools or their employees.</p> <p>New Subsection (j) provides that the section does not create any criminal, civil, or administrative causes of action or liability or create a standard of care, obligation, or duty for a cause of action.</p>
2	Adds TEC §38.0152	<p>Section 2 sets up an ad hoc commission to create the guidelines discussed in Section 1 of the bill. It defines Commissioner, Department, and Guidelines for this section and states that the Commissioner (who in this case is the Commissioner of State Health Services) shall appoint at least 13 members to the committee. Each of the</p>

		13 member committee spots are required to be representative of a specific subset of people who would have knowledge about and be interested in these guidelines. The physicians appointed to the committee are required to provide to the HHSC commissioner any recommendations of changes to the guidelines approved by a majority of the physicians on the committee. The committee members shall serve for as long as the Commissioner chooses and the Commissioner will appoint a new member to replace those no longer on the committee. This committee is not an advisory committee governed by Tex. Gov. Code §2110.005. The committee has to meet at least once every three years, but the Commissioner can order a meeting whenever the Commissioner determines it is necessary to discuss the protection of students with food allergies at-risk for anaphylaxis and update the guidelines.
3	N/A	Section 3 of the bill mandates that the Commissioner of State Health Services shall appoint the members to the ad hoc committee described in Section 2 of the bill and that the Commissioner of State Health Services will update the guidelines as necessary no later than March 1, 2020.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The bill establishes a committee managed and appointed by the HHSC commissioner. TEA must post the guidelines described by §38.0151(a) on TEA website, along with a summary of the guidelines, and to mandate that the summary be annually reviewed to ensure it is compliant with the most current version of the guidelines

**Summary of IT and Data Implications:**

None

## SB 944

Author: Watson, Kirk

Sponsor: Capriglione, Giovanni

**Bill Summary:** Senate Bill 944 requires a current or former officer or employee of a governmental body, such as a school district or governing body of an open-enrollment charter school, who maintains public information on a privately owned device to forward or transfer the public information to the governmental body or server. Officers or employees do not have personal or property rights to public information he or she created or received while acting in an official capacity.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Government Code §552.002(d)	“Protected health information,” as defined by §181.006, Health and Safety Code, is not public information and is not subject to disclosure under Chapter 552 of the Government Code (The Public Information Act).
2	Adds Government Code §552.003(7)	“Temporary custodian” is defined as a current or former officer or employee of a governmental body who creates or receives public information and who has not provided the information to the governmental body’s public information officer.
3	Amends Government Code §552.004	<p>A temporary custodian must forward or transfer the public information to the governmental body or preserve the information in its original form in a backup or archive and on the privately. Information must be maintained on the private device for a time determined by the governmental body.</p> <p>The provisions of Chapter 441 of this code and Title 6, Local Government Code, governing the preservation, destruction, or other disposition of records or public information apply to records and public information held by a temporary custodian.</p>
4	Adds Government Code §552.159	Section 4 creates an exception from this act for information obtained by a governmental body that was provided by an out-of-state health care provider in connection with quality management, peer review, or best practices program paid for by the out-of-state provider. This information is confidential.
5	Amends Government Code §552.203	Section 5 amends the duties of a governmental body’s public information officer. In addition to their current duties, public information officers must now make reasonable efforts to obtain public information from a temporary custodian if the information is requested from the governmental body; if the officer has reasonable belief the temporary custodian has possession, custody, or control of the information; and the temporary custodian has not yet provided the information to the officer or officer’s agent.
6	Adds Government Code §§552.233, 552.234, and 552.235	<p>Current or former officers or employees of a governmental body do not have personal or property rights to public information they created or received while acting in an official capacity. A temporary custodian of public information must surrender or return the information to the governmental body by the 10<sup>th</sup> day following a request for a temporary custodian to surrender or return the information. Failure to do so is grounds for disciplinary action by the custodian’s employing governmental body or any other applicable penalties provided by this chapter or other law.</p> <p>Written requests for public information may be made to the applicable public information officer or designee in one of the following ways:</p> <ol style="list-style-type: none"><li>1) United States mail;</li><li>2) Electronic mail;</li><li>3) Hand delivery; or</li></ol>

		<p>4) Any other appropriate method approved by the governmental body, including facsimile transmission and electronic submission through the governmental body's website.</p> <p>This section further details how governmental bodies can collect public information requests and associated requirements for doing so.</p> <p>The attorney general shall create a public information request form that provides a requestor the option of excluding information that the governmental body determines is confidential or exempt from disclosure. Governmental bodies that allow requestors to use the attorney general's form must post it on their website.</p>
7	Repeals Government Code §552.301(c)	This section relating to a request for an attorney general decision is repealed.
8	N/A	The changes in law made by this Act apply only to a public information request made after September 1, 2019.
9	N/A	The attorney general is required to create a public information request form under §552.235(a) by October 1, 2019.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

Governmental bodies, such as school districts and open-enrollment charter school government bodies, may need to update their operating procedures related to public information requests if they do not currently comply with these provisions.

**Summary of IT and Data Implications:**

None

## SB 1017

Author: Powell, Beverly

Sponsor: Guerra, Bobby

**Bill Summary:** Senate Bill 1017 creates an advisory council on postsecondary education for persons with intellectual and developmental disabilities.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §61.0663(b)	Section 1 of the bill amends Texas Education Code (TEC) §61.0663(b) by requiring the Higher Education Coordinating Board (the board) to annually update its inventory of postsecondary educational programs and services provided by institutions of higher education for persons with intellectual and developmental disabilities. Current law requires the board to update the inventory once every two years.
2	Adds TEC §61.06641	<p>The council is charged with advising the board on policies and practices to improve postsecondary education opportunities for persons with intellectual and developmental disabilities. In furtherance of this charge, the council must assist the board in periodic review of policies and practices that increase access to higher education opportunities for persons with intellectual and developmental disabilities. Likewise, the advisory council must develop - and the board must distribute - outreach materials that increase awareness regarding postsecondary opportunities for persons with intellectual and developmental disabilities.</p> <p>This section establishes the membership of the advisory council. The membership must include an appointee by the executive director of the Texas Workforce Commission, an appointee by the Commissioner of Education Agency, and a representative appointed by the governor of the Continuing Advisory Committee (a state advisory panel required by the federal Individuals with Disabilities Education Act). In addition, the board must appoint a representative of a University Centers for Excellence in Developmental Disabilities program in Texas; a representative of a disability advocacy group; a parent or guardian of a person with an intellectual or developmental disability; a parent or guardian of a person with an intellectual or developmental disability who is currently enrolled in an institution of higher education; a person with an intellectual or developmental disability who is enrolled in an institution of higher education; a person with an intellectual or developmental disability who has completed a program at an institution of higher education; a high school counselor; a transition specialist from a regional education service center, school district, or other state agency; and additional representatives with relevant experience as needed.</p> <p>This section establishes a two-year term for members of the advisory council and clarifies that members may not be compensated for their service on the council but may be reimbursed in accordance with state law for expenses related to the work of the council. The section also specifies that the council must elect a presiding officer and meet at least quarterly.</p> <p>This section specifies the duties and responsibilities of the advisory council. These include studying the accessibility of and providing advice on the removal of barriers to accessing higher education for persons with intellectual and developmental disabilities. The council must also identify, evaluate, and develop</p>

		<p>recommendations to address barriers to accessing higher education for persons with intellectual and developmental disabilities who are or have been in the foster care system. In so doing, the council must also address any data collection issues related to persons formerly or currently in foster care.</p> <p>This section also provides that the council may meet by telephone or video conference, or by a similar mode of remote communication, subject to state open meeting notice requirements.</p> <p>This section requires the advisory council to submit an annual report to the board. The report must include information about the councils' activities, rule changes needed to decrease barriers to accessing higher education for persons with intellectual and developmental disabilities, and recommendations for potential outreach and education materials to increase public awareness of the availability of higher education opportunities and resources for persons with intellectual and developmental disabilities. The advisory council must also submit a biennial report to the board, the Governor, the Lieutenant Governor, the Speaker of the House, members of the legislature, and, as necessary, other state agencies or relevant stakeholders. This report must include higher education data on graduation rates, demographic information, available programs, and other relevant data. The report must also recommend changes to assist persons with intellectual and developmental disabilities in accessing and achieving higher education.</p>
3	N/A	Section 3 requires that all appointments to the advisory council must be made by January 1, 2020, and that the council must complete the initial reports required by the bill no later than December 1, 2020.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The bill pertains to the creation of an advisory council and requires the Commissioner to appoint one member to the council. The Texas Higher Education Coordinating Board must also appoint a transition specialist from a regional education service center, school district, or other state agency, which could include TEA.

**Summary of IT and Data Implications:**

None



## SB 1055

Author: Zaffirini, Judith

Sponsor: Frullo, John

**Bill Summary:** Senate Bill 1055 establishes a workforce diploma pilot program to assist adult students in obtaining a high school diploma and developing technical career readiness skills.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
<b>1</b>	Adds Chapter 317 to Subtitle B, Title 4, Labor Code	<p>This section amends Subtitle B, Title 4, Labor Code by adding Chapter 317, Workforce Diploma Pilot Program.</p> <p>New Texas Labor Code §317.001 establishes definitions for the terms, "Adult" and "Program."</p> <p>New Texas Labor Code § 317.002 requires the Texas Workforce Commission (TWC), in consultation with TEA, to establish and administer a workforce diploma pilot program under which eligible high school diploma-granting entities participating in the program may be reimbursed for assisting adult students to obtain a high school diploma and develop technical career readiness skills and employability.</p> <p>New Texas Labor Code §317.003 requires TWC, no later than October 15<sup>th</sup> of each year, to publish a request for qualifications for providers to participate in the program.</p> <p>New Texas Labor Code §317.004 establishes that to be eligible to participate as a provider, an entity must: (1) apply to the commission in the manner prescribed by commission rule; (2) be a public, nonprofit, or private entity that is authorized under TEC or other state law to grant a high school diploma or accredited by a regional accrediting body; (3) have at least two years of experience providing dropout reengagement services to adult students, (4) be equipped to provide:</p> <ul style="list-style-type: none"> <li>• academic skill intake assessment and transcript evaluations;</li> <li>• remediation coursework in literacy and numeracy;</li> <li>• a research-validated academic resiliency assessment and intervention;</li> <li>• employability skills development aligned to employer needs;</li> <li>• career pathways coursework;</li> <li>• preparation for the attainment of industry-recognized credentials; and</li> <li>• career placement services;</li> </ul> <p>and to develop a learning plan that integrates academic requirements and career goals; and offer a course catalog that includes all courses necessary to meet high school graduation requirements in Texas.</p> <p>New Texas Labor Code §317.005 requires TWC to publish, not later than November 15<sup>th</sup> of each year, a list of providers approved to participate in the program during the next calendar year and establishes that an approved provider maintains approval to participate in the program during a subsequent calendar year without reapplying unless the provider is removed from the approved provider list.</p> <p>New Texas Labor Code §317.006 requires, to the extent money is available for that purpose, TWC to reimburse each approved provider for student achievement of the following milestones:</p>

		<p>(1) \$250 for the completion of a half credit  (2) \$250 for the completion of an employability skills certification program equal to at least one Carnegie unit or the equivalent  (3) \$250 for the attainment of an industry-recognized credential requiring not more than 50 hours of training  (4) \$500 for the attainment of an industry-recognized credential requiring at least 50 but not more than 100 hours of training  (5) \$750 for the attainment of an industry-recognized credential requiring more than 100 hours of training  (6) \$1,000 for the obtainment of a high school diploma</p> <p>No later than the 10<sup>th</sup> calendar day of each month, a provider participating in the program must submit to TWC an invoice for the milestones achieved by the provider’s students during the previous calendar month. The commission must reimburse approved program providers in the order in which invoices are received by the commission until all funds available for the program are exhausted.</p> <p>New Texas Labor Code §317.007 requires, by January 15<sup>th</sup> of each year, that each provider that participated in the program in the previous calendar year report to TWC the number of students for which provider received reimbursement, total number of credits earned by students, total number of employability skills certifications programs completed by students, total number of industry-recognized credentials attained by students in each of the funding tiers, and number of students who obtained high school diplomas.</p> <p>New Texas Labor Code §317.008 requires TWC by rule to prescribe minimum performance standards for providers participating in the program. The minimum performance standards must include: (1) a graduation rate of at least 50 percent; and (2) a program cost per graduate of \$7,000 or less.</p> <p>The commission must by rule develop formulas to make the appropriate calculations. The graduation rate would have to be calculated one cohort year in arrears.</p> <p>TWC must review data from each provider annually. If the commission determines that an approved provider did not meet the minimum performance standards in the previous calendar year, the commission must place the provider on probationary status for the remainder of the current calendar year and to remove from the approved provider list any provider that does not meet the minimum performance standards for two consecutive calendar years.</p> <p>New Texas Labor Code §317.009 requires TWC, not later than December 1<sup>st</sup> of each even-numbered year, to submit to the legislature a report on the effectiveness of the program. The commission would be required to include in the report a recommendation regarding whether the program should be continued, expanded, or terminated.</p> <p>New Texas Labor Code §317.010 provides that this chapter expires September 1, 2025.</p>
2	N/A	TWC must implement a provision of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money

		specifically, for that purpose, the TWC may, but is not required to, implement a provision of this Act using other appropriates available for that purpose.
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**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The bill establishes a workforce diploma pilot program to assist adult students in obtaining a high school diploma and developing technical career readiness skills and employability. TWC is be responsible for establishing and administering the pilot program in consultation with TEA.

**Summary of IT and Data Implications:**

None

## SB 1200

Author: Campbell, Donna

Sponsor: Miller, Rick

**Bill Summary:** Senate Bill 1200 amends current law to allow military spouses licensed in other states and in good standing to engage in a business or occupation in Texas with credentials issued by another state.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds Texas Occupations Code §55.0041	<p>Subsection (a) authorizes the military spouse to use his or her current license from another state to engage in a Texas business or occupation without obtaining the required state licensure, provided the license from the other state is in good standing and equivalent to the Texas license.</p> <p>Subsection (b) requires that prior to beginning employment, the military spouse notify the appropriate state agency to declare his or her intent to work in this state; to submit his or her proof of state residency and copy of the spouse's military identification card; and to receive confirmation from the state agency that the military spouse's license in the other state has been verified and authorized for work in this state.</p> <p>Subsection (c) requires the military spouse to comply with all other laws and requirements specific to the business or occupation in this state.</p> <p>Subsection (d) authorizes a military spouse to engage in the business or occupation under the provisions of this section only for the period during which the military service member to whom the military spouse is stationed in this state, not to exceed three years from the date the spouse is confirmed to work in Texas via the provisions of subsection (b)(3).</p> <p>Subsection (e) requires a state agency that issues a license to adopt rules to implement this section, and requires the rules to establish the agency's process to: identify equivalency of licenses issued in other states with those issued by the agency; and verify that a military spouse is licensed in good standing in a jurisdiction described by Subdivision (1).</p> <p>Subsection (f) authorizes a state agency that issues a license, in addition to specifications in subsection (e) to adopt rules to provide for issuance of a license to a military spouse confirmed by the agency through guidelines under subsection (b)(3); requires the license issued under this subsection to expire no later than three years from the date of agency confirmation; prohibits the license from being renewed; and prohibits a state agency from charging a fee for issuance of the license.</p>
2	N/A	This section requires a state agency to which §55.0041, Occupations Code, as added by this Act, applies to adopt rules to implement that section not later than December 1, 2019.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

Section 2 of the bill requires that the State Board of Educator Certification (SBEC) adopt rules no later than December 1, 2019 to implement this legislation. The State Board of Education will review SBEC rule adoptions related to implementation of this bill.

19 Texas Administrative Code (TAC) Chapter 234, Military Service Members, Military Spouses, and Military Veterans, consolidates all military-related provisions into one chapter and streamlines future military-related rulemaking opportunities. Since the 84<sup>th</sup> Texas Legislative Session, TEA staff have developed rules adopted by the SBEC to provide a strong foundation of support for military service members, military spouses, and military veterans completing the certification process in Texas. The rules in 19 TAC Chapter 234 already provide for the waiving of licensing and application fees paid to the state, expedited reviews of credentials issued in other states, and three-year temporary licensure for military spouses.

**Summary of IT and Data Implications:**

None

## SB 1230

Author: Bettencourt, Paul

Sponsor: Meyer, Morgan

**Bill Summary:** Senate Bill 1230 requires Texas private schools to report to the State Board for Educator Certification (SBEC) all known criminal histories of private school educators, as well as certain egregious allegations of misconduct against private school educators.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds subsections (c) and (d) Article 42.018, Code of Criminal Procedure (CCP)	<p>The new subsections require a clerk of a criminal court to notify the chief administrative officer of a private school when a private school employee is convicted or receives deferred adjudication. The proposed subsection requires the clerk to make the notification within five days of the court action.</p> <p>The proposed section is an extension of the requirement in §42.018(b) in which the clerk of a criminal court is required to report to SBEC any convictions and deferred adjudications against certified educators.</p>
2	Adds TEC §21.0062	<p>This section defines “abuse” as defined in the Texas Family Code §261.001 and “includes sexual conduct involving a student or minor and a private school educator.” The subsection also defines “private school educator” as a person employed by or seeking employment in a private school for a position in which the person would be required to hold an SBEC certificate if they were employed by a school district.</p> <p>Subsection (b) requires the chief administrative officer of a private school to notify SBEC:</p> <ul style="list-style-type: none"><li>(1) if a private school educator has a criminal record and the private school obtained information about the criminal record; and</li><li>(2) the educator’s employment was terminated and there is evidence that the educator:<ul style="list-style-type: none"><li>(A) abused or otherwise committed an unlawful act with a student or minor; or</li><li>(B) was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor.</li></ul></li></ul> <p>Subsection (c) requires the chief administrative officer of a private school to provide any evidence of the misconduct described in (A) or (B), if an educator resigned before completion of an investigation of the alleged misconduct.</p> <p>Subsections (d) and (e) require a chief administrative officer to file a written report, in the form required by SBEC, with SBEC not later than the 7<sup>th</sup> business day, after the date the chief administrative officer knew or had reason to believe, that an educator:</p> <ul style="list-style-type: none"><li>1. has a criminal record,</li><li>2. was terminated or resigned following an alleged incident of misconduct described in subsection (b)(2).</li></ul>

		<p>Subsection (f) states that any person who knows or has reason to believe that an educator engaged in the misconduct described by Subsection (b)(2) may file a report with SBEC.</p> <p>Subsection (g) provides immunity from civil or criminal liability for a chief administrative officer of a private school or any other person who files a report with SBEC in good faith under the section or communicates with another chief administrative officer or other administrator of a private school concerning the criminal record of an educator or allegations of misconduct against an educator</p> <p>Subsection (h) states that the name of a student/minor who is the victim of abuse or unlawful conduct by a private school educator must be included in the report filed to SBEC, but the name is not public information.</p> <p>Subsection (i) states that SBEC shall propose rules as necessary to implement the section.</p>
3	Amends TEC §21.009 (a)	The section is amended to include “private schools” in the list of entities to which an applicant for employment in a position described in TEC §21.003 (a) or (b) must submit a pre-employment affidavit disclosing whether the applicant has ever been charged with adjudicated for or convicted of having an inappropriate relationship with a minor.
4	Amends TEC §21.0581(a)(1)	The subsection states that SBEC may suspend or revoke an SBEC certificate or impose other sanctions against a person if the person assists another person in obtaining employment at a school district or open-enrollment charter school. The proposed languages adds “private schools” to the list of entities.
5	Amends TEC §21.355	<p>TEC §21.355(c) is amended to include “private schools” in the list of entities to whom a school district or charter school must provide the performance evaluation of an educator or administrator who is employed by the school.</p> <p>TEC §21.355 (d) is amended to say that a school district or open-enrollment charter school shall give TEA a performance evaluation of an educator or administrator who is employed by the school. for the purposes of a TEA investigation.</p> <p>This current law states that school district or charter school “may” give TEA the evaluation.</p>
6	N/A	This section specifies that the changes to Tx CCP §42.018(c) noted in section 1 only apply to convictions or deferred adjudications entered after the effective date of the act.
6	N/A	The section states that, as soon as practicable after the effective date, the Commissioner and SBEC, on the recommendation of SBEC, shall adopt rules as necessary to implement section §21.0062.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The bill requires the Commissioner and SBEC to adopt rules as necessary to implement sections the proposed §21.0062. The rules should be adopted as soon as practicable. Additionally, the bill requires the commissioner of education and SBEC to adopt rules as necessary to implement sections the proposed §21.0062. The rules should be adopted as soon as practicable.

**Summary of IT and Data Implications:**

The bill will require private schools to submit documentation, specifically narrative reports that include allegations and information about the related investigations. However, the bill does not specifically require the submission or collection of data. Currently, public schools submit the same type of documentation under TEC §21.006.



## SB 1231

Author: Bettencourt, Paul

Sponsor: Meyer, Morgan

**Bill Summary:** Senate Bill 1231 provides private school and charter school administrators with access to information regarding child abuse and neglect investigations conducted by the Texas DFPS Child Protective Services (CPS).

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Texas Family Code §261.105(d)	<p>This amends the Texas Family Code §261.105(d) and requires CPS to notify the chief executive officer of a private school or the director of an open-enrollment charter school if a CPS investigation determines that an employee of a private school or charter school is involved with the abuse or neglect of a child.</p> <p>Existing statute only requires that CPS provide this information to the superintendent of a school district if the finding involves an employee of a public school.</p>
2	Amends Texas Family Code §261.308(d)	<p>This section states that CPS shall release information to an open-enrollment charter school or a private school regarding the person alleged to have committed abuse or neglect.</p> <p>Existing statute requires that CPS release the information to the Texas Education Agency (TEA), State Board for Educator Certification (SBEC), local school boards, and the superintendent or principal of a school. In the current law, the release is contingent on a CPS finding that the person poses a substantial and immediate risk of harm to a child and the information is necessary to assist in protecting other children.</p>
3	Amends Texas Family Code §261.406 (a) and (b)	<p>This section requires CPS to provide a completed investigation report to TEA and a private school if there were allegations of abuse or neglect of a child in a public or private school.</p> <p>Existing law requires that CPS only provide a completed investigation to TEA if there were allegations of abuse or neglect of a child in a public school.</p> <p>This section also requires CPS to provide “on request” a copy of a completed report to SBEC, the local school board, a school district superintendent, a public-school principal, or the chief executive officer of a private school unless the person to whom the report would be provided is the subject of the allegations.</p> <p>Existing law requires that CPS provide a completed investigation on request to SBEC, a school board, and a school district superintendent. The current law also references “school,” but does not specify which type. The proposed amendment clarifies this.</p> <p>This section adds language that “Except as otherwise provided by this subsection,” Texas Family Code §261.201(b) regarding a court order for confidential information applies to the release investigation reports under this section and to a person’s identity who made the report.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The bill would provide private schools and charter schools with information relating to allegations of child abuse and neglect involving school employees.

**Summary of IT and Data Implications:**

None

## SB 1276

Author: Powell, Beverly

Sponsor: Frullo, John

**Bill Summary:** Senate Bill 1276 expands requirements of memorandums of understanding or articulation agreements between school districts and public institutions of higher education to provide dual credit courses. Additional requirements include common advising strategies and terminology, alignment of endorsements, and tools for selecting endorsements.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §28.009 (b-2)	This bill amends TEC §28.009 (b-2) to require dual credit agreements: <ul style="list-style-type: none"><li>• establish common advising strategies and terminology related to dual credit and college readiness;</li><li>• provide for the alignment of endorsements offered by the district, and dual credit courses offered under the agreement that apply towards those endorsements, with postsecondary pathways and credentials at the institution and industry certifications;</li><li>• identify tools, including tools developed by TEA, the Texas Higher Education Coordinating Board, or the Texas Workforce Commission, to assist school counselors, students, and families in selecting endorsements offered by the district and dual credit courses offered under the agreement.</li></ul>
2	N/A	This section provides that the new requirement applies only to an agreement to provide a dual credit program entered into or renewed on or after September 1, 2019. An agreement to provide a dual credit program entered into or renewed before September 1, 2019, is governed by the law as it existed at the time the agreement was entered into or renewed, and the former law is continued in effect for that purpose.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

School districts will need to include additional information in dual credit agreements upon renewal or development of new agreements.

### Summary of IT and Data Implications:

None

## SB 1306

Author: Kolkhorst, Lois  
Sponsor: Burns, DeWayne

**Bill Summary:** Senate Bill 1306 amends Chapter 26 of the Texas Education Code by adding Section 26.015. This requires districts to post the Campus Behavior Coordinator's e-mail and dedicated phone number on the district's internet website. A district of innovation must have a designated person for discipline and the e-mail and phone number posted on the district internet website, as well.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §26.015	A school district shall post on the district's internet website, for each campus, the e-mail address and dedicated telephone number of a person clearly identified as: (1) the campus behavior coordinator designated under Section 37.0012; or (2) if the district has been designated as a district of innovation under Chapter 12A and is exempt from the requirement to designate a campus behavior coordinator under Section 37.0012 under the district's local innovation plan, a campus administrator designated as being responsible for student discipline.
2	N/A	This Act applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

The TEA Guide to Discipline will be updated to reflect this requirement.

## SB 1324

Author: Taylor, Larry

Sponsor: Turner, Chris

**Bill Summary:** Senate Bill 1324 requires students enrolled in a course for high school and junior college credit to file a degree plan with the college following the completion 15 or more semester credit hours.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §51.9685(c-2)	<p>New TEC §51.9685(c-2) requires a student enrolled in a course for joint high school and junior college credit under TEC §130.008 at a public junior college, and who is not enrolled in an associate or bachelor's degree program, to file a degree plan with the college not later than:</p> <ul style="list-style-type: none"><li>• the end of the second regular semester or term immediately following the semester or term in which the student earned a cumulative total of 15 or more semester credit hours of course credit for dual credit courses successfully completed by the student; or</li><li>• by the end of the student's second regular semester or term at the college if the student begins the student's first semester or term at the college with 15 or more semester credit hours of course credit for dual credit courses successfully completed by the student.</li></ul> <p>The Texas Higher Education Coordinating Board (THECB), in consultation with institutions of higher education, must adopt rules as necessary for the administration of this section including rules requiring institutions of higher education to report to THECB information regarding the filing of degree plans.</p>
2	Amends TEC §130.0104(c)	A student enrolled in a multidisciplinary studies associate degree program must meet with an academic advisor to complete a degree plan.
3	N/A	This section establishes that this Act applies beginning with the 2019-2020 academic year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# SB 1374

**Author: Paxton, Angela**  
**Sponsor: Ashby, Trent**

**Bill Summary:** Senate Bill 1374 permits a school district to allow a student to enroll concurrently in Algebra I and Geometry.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §28.025(b-6)	This section permits school districts to allow a student to enroll concurrently in Algebra I and Geometry.
2	N/A	This section establishes that this legislation applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**  
None

**Summary of IT and Data Implications:**  
None

## SB 1376

**Author: Paxton, Angela**  
**Sponsor: Patterson, Jared**

**Bill Summary:** Senate Bill 1376 would eliminate certain requirements imposed on school districts and other educational entities.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
<b>1.01</b>	Amends TEC §21.040	Section 1.101 removes the responsibilities for State Board of Educator Certification(SBEC) to supervise the executive director, approve an operating budget or request an appropriation for the board, and to execute interagency contracts for the board’s administrative functions.
<b>1.02</b>	Amends TEC §29.006(a)	§29.006(a) requires the Governor to appoint a continuing advisory committee that includes at least one member being a director of special education programs. Language is stricken that references director of special education “or for a shared services arrangement of multiple school districts as provided by Section 29.007”
<b>1.03</b>	Amends TEC §29.095	This section amends TEC §29.095 grants for student clubs-programs for students at risk of dropping out of school to eliminate a reference to any other information the council requires.
<b>1.04</b>	Amends TEC §29.096	This section amends TEC §29.096 dropout reduction pilot program, to eliminate a reference to requirements determined by the council.
<b>1.05</b>	Amends TEC §29.097	This section amends TEC §29.097, intensive technology-based academic intervention pilot program, to eliminate language referencing the council.
<b>1.06</b>	Amends TEC §39.235(a)	This section removes the following language: “the alignment of grants and programs to the strategic plan adopted under Section 39.407.”
<b>2.01</b>	Amends TEC §33.202(a), (c), (d), and (e)	<p>This bill amends TEC §33.202(a) by requiring the University Interscholastic League (UIL), rather than the Commissioner, to develop and adopt an extracurricular safety training program, and that UIL may use materials from American Red Cross, Emergency Medical Systems, or another appropriate entity.</p> <p>This legislation amends TEC §33.202(c) to require certification of participants in the training program by the UIL, American Red Cross, American Heart Association, or a similar organization.</p> <p>This bill would amend TEC §33.202(d) to require UIL to provide the training to students participating in an extracurricular athletic activity.</p>
<b>3.01</b>	Amends TEC §21.410	This section changes the name of the Master Reading Teacher Grant program to be the Master Teacher Grant Program.
<b>3.02</b>	Amends TEC §21.410	This section incorporates the master reading, mathematics, technology, and science grant programs into one section of statute, removes the requirement for a master reading teacher grant to be \$5,000 and makes other conforming changes.

<b>4.01</b>	Repealers	<p>This Act repeals the following:</p> <ul style="list-style-type: none"> <li>• TEC §7.102(c)(9) which allows the SBOE to grant an open-enrollment charter or approve a charter revision;</li> <li>• TEC §21.411 which refers to the master math teacher grant program, TEC §21.412 which refers to the master technology teacher grant program, and TEC §21.413 which refers to the master science teacher grant program;</li> <li>• TEC §29.007 which allows districts to enter into shared services arrangements to operate special education programs;</li> <li>• TEC §§29.095(a)(1), 29.096(a), and 29.097(a)(1) which defines the High School Completion and Success Initiative Council;</li> <li>• TEC §38.0081 which requires TEA, in conjunction with DSHS to develop information about the use of anabolic steroids and the health risks involved with such use and to distribute the information to school districts;</li> <li>• TEC Chapter 39, Subchapter M, which establishes the requirements regarding the High School Completion and Success Initiative;</li> <li>• TEC §44.903 related to energy-efficient light bulbs in instructional facilities; and</li> <li>• TEC §45.208(e) which requires a copy of the depository contract and bond to be filed with the agency.</li> </ul>
<b>5.01</b>	N/A	This legislation applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**  
None

**Summary of IT and Data Implications:**

With the repeal of TEC §29.007 (Shared Services Arrangements for special education programs) the SHARED-SVCS-ARRANGEMENT-TYPE code table will be updated to eliminate code 11 (Special Education) and the removal of up to ten fund codes from the FUND-CODE code table.



## SB 1451

Author: Taylor, Larry

Sponsor: Ashby, Trent

**Bill Summary:** Senate Bill 1451 prevents both the commissioner of education's (Commissioner) recommended teacher appraisal system and any locally developed appraisal system from assigning teachers an area of deficiency in an appraisal based on the teacher's submission of documentation or referrals related to student conduct. These changes allow a teacher to be assigned a deficiency based on documented evidence of a deficiency in classroom management.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §21.351	This section of the bill adds language that instructs the Commissioner, in adopting criteria for the commissioner's recommended teacher appraisal system, to ensure that teachers aren't assigned an area of deficiency based on the teacher's submission of documentation or referrals related to student conduct in accordance with TEC §37.002. The bill does not prohibit a teacher from being assigned an area of deficiency based on documented evidence of a deficiency in classroom management through an observation or report.
2	Amends TEC §21.352	This section of the bill instructs the districts, in implementing a locally developed appraisal system, to not assign a teacher an area of deficiency based on the teacher's submission of documentation or referrals related to student conduct in accordance with TEC §37.002. The bill does not prohibit a teacher from being assigned an area of deficiency based on documented evidence of a deficiency in classroom management through an observation or report.
3	Amends TEC §37.002	This section adds to TEC §37.002 that a teacher may document and submit documentation to the campus principal any student behavior that does not conform the student code of conduct in accordance with TEC §37.001, and the district may not discipline a teacher for the submission of such documentation.
4	N/A	This bill would apply for the beginning of the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

The TEA Guide to Student Discipline will be updated accordingly.

## SB 1454

**Author: Taylor, Larry**  
**Sponsor: Huberty, Dan**

**Bill Summary:** Senate Bill 1454 relates to the ownership, sale, lease, and disposition of property and management of assets of an open-enrollment charter school. This bill establishes state oversight of related party- and other transactions conducted by charter schools and the disposition of closed charter school funds and property.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
<b>1</b>	Amends TEC §12.1012	<p>The following definitions are amended:</p> <p>“Payable obligation” means a contractually obligated expenditure that was reasonably incurred for the benefit of students enrolled at an open-enrollment charter school before the open-enrollment charter school ceased operations, including a debt described by §12.128(e) [a security interest or lien from one property established by a creditor, arising in connection with the sale or lease of property to the charter holder]. The term does not include any amount owed to a former charter holder or officer or director of the school.</p> <p>“Remaining funds” means funds held by a former charter holder after satisfaction of all payable obligations related to state funding under §12.106 and from the disposition of property.</p>
<b>2</b>	Adds TEC §12.10125	<p>The heading of TEC §12.10125 is added to read “Open-Enrollment Charter School Not in Operation.”</p> <p>An open-enrollment charter school ceases to operate if the school’s charter has been revoked, expired, surrendered, or abandoned; or the school has otherwise ceased to operate as a public school.</p>
<b>3</b>	Amends TEC §12.106	<p>This section requires that:</p> <ul style="list-style-type: none"> <li>• The agency may approve a transfer of a closed charter holder’s remaining funds to an operating charter holder if the charter holder receiving the funds has not received notice of the expiration or revocation of its charter or notice of a reconstitution of the governing body under Sections 12.1141 (renewal) or 12.115 (revocation).</li> <li>• Otherwise, all remaining funds of a charter holder for an open-enrollment charter school that ceases to operate must be returned to the agency and deposited in the charter school liquidation fund.</li> <li>• The commissioner of education (Commissioner) may adopt rules specifying the time during which a former charter holder must return remaining funds and the qualifications required for a charter holder to receive a transfer of remaining funds for a closed charter.</li> </ul>
<b>4</b>	Amends TEC §12.107(a)	<p>Funds received under §12.106 (state funding) may not be pledged or used to secure loans or bonds for any other organization, including a non-charter operation or out-of-state operation conducted by the charter holder or a related party, as defined by Commissioner rule adopted under Section 12.1166 (related party transactions); or be used to support an operation or activity not related to the educational activities of the charter holder.</p>
<b>5</b>	Amends TEC §12.1163	<p>If the aggregate amount of all transactions between a charter holder and a related party, as defined by Commissioner rule adopted under Section 12.1166, exceeds \$25,000, an audit under Subsection (a) may include the review of any real property transactions between the charter holder and the related party. If the Commissioner determines that a transaction with a related party using funds received under Section</p>

		12.106 was structured in a manner that did not benefit the open-enrollment charter school or that the transaction was in excess of fair market value, the Commissioner may order that the transaction be reclassified or that other action be taken as necessary to protect the school’s interests. Failure to comply with the Commissioner’s order is a material violation of the charter.
6	Adds TEC §§12.1166, 12.1167, and 12.1168	<p>The Commissioner must adopt a rule defining “related party,” which must include:</p> <ul style="list-style-type: none"> <li>• a party with a current or former board member, administrator, or officer who is a board member, administrator, or officer of an open-enrollment charter school; or related within the third degree of consanguinity or affinity, as determined under Chapter 573, Government Code, to a board member, administrator, or officer of an open-enrollment charter school;</li> <li>• a charter holder’s related organizations, joint ventures, and jointly governed organizations;</li> <li>• an open-enrollment charter school’s board members, administrators, or officers or a person related to a board member, administrator, or officer within the third degree of consanguinity or affinity, as determined under Chapter 573, Government Code; and</li> <li>• any other disqualified person, as that term is defined by 26 U.S.C. Section 4958(f).</li> </ul> <p>A person is a former board member, administrator, or officer if the person served in that capacity within one year of the date on which a financial transaction between the charter holder and a related party occurred.</p> <p>In a charter holder’s annual audit, the charter holder must include a list of all transactions with a related party.</p> <p>§12.1167 provides that the Commissioner may adopt rules that would require an open-enrollment charter school to notify the Commissioner, if the school intends to enter into a transaction with a related party, and provide a certified appraisal to the agency.</p> <p>§12.1168 provides that an open-enrollment charter school’s financial report must disclose:</p> <ul style="list-style-type: none"> <li>• all financial transactions between the open-enrollment charter school and any related party, separately stating the principal, interest, and lease payments; and</li> <li>• the total compensation and benefits provided by the school and any related party for each member of the governing body and each officer and administrator of the school and the related party.</li> </ul>
7	Amends TEC §12.128	<p>Subsections (a) and (c) are amended and subsections (a-1), (b-1), (b-2), (c-1), (c-2), and (f) are added.</p> <p>Subsection (a) retains the word “purchased” but removes the word “leased.” Subsection (c) was amended to specify that after taking possession of closed charter school property, the Commissioner shall supervise the disposition of the property in accordance with this subchapter.</p> <p>Subsection (a-1) was added and provides that property leased with funds received by a charter holder under §12.106 after September 1, 2001: (1) is considered to be public property for all purposes under state law;</p>

		<p>(2) is property of this state held in trust by the charter holder for the benefit of the students of the open-enrollment charter school; and  (3) may be used only for a purpose for which a school district may use school district property.</p> <p>Subsection (b-1) was added and provides that while an open-enrollment charter school is in operation, the charter holder holds title to any property described by Subsection (a) [property purchased with any state funds after 2001 is wholly public property] or (b) [property purchased before 2001 with any state funds is public property to the extent state funds were used] and may exercise complete control over the property as permitted under the law. However, this would be subject to subsection (b-2).</p> <p>Subsection (b-2) was added to provide that a charter holder may not transfer, sell, or otherwise dispose of this property without written consent of the agency, if the charter holder has received notice of:</p> <ul style="list-style-type: none"> <li>• The non-renewal of the charter under §12.1141;</li> <li>• The revocation of the charter under §12.115(c);</li> <li>• The charter is under “discretionary review” for revocation or board reconstitution under §12.115; or</li> <li>• The charter school has otherwise ceased to operate.</li> </ul> <p>Subsection (c-1) was added to provide that if an open-enrollment charter school ceases to operate, the agency:</p> <p>(1) for property purchased with state funds, shall direct the charter holder to:</p> <p>(A) retain or liquidate the property, and provide reimbursement to the state as provided by new §12.1281;</p> <p>(B) transfer the property to the agency under new §12.1281(h) or a school district or open-enrollment charter school under new §12.1282;</p> <p>(C) close the operations of the open-enrollment charter school under new §12.1284; or</p> <p>(D) take any combination of the actions described by Paragraphs (A), (B), and (C).</p> <p>(2) for property leased with state funds, may direct the charter holder to assign the charter holder’s interest in the lease to the agency.</p> <p>Subsection (c-2) was added to provide that the agency may approve an expenditure of remaining funds by a former charter holder for insurance or utilities for or maintenance, repairs, or improvements to property if the agency determines that the expenditure is reasonably necessary to dispose of the property or preserve the property’s value.</p> <p>Subsection (f) was added to provide that a decision by the agency under this section is final and may not be appealed.</p>
8	Amends TEC Subchapter D, Chapter 12	TEC §12.1281 was added to provide that a former charter holder of an open-enrollment charter school that has ceased to operate may retain property described by §12.128, if the former charter holder reimburses the state with non-state funds, the former charter holder provides written assurance that the requirements of new §12.1284 will be met, and the charter holder receives approval from the agency.

On receiving consent from the agency under §12.128(b-2) and a written agreement from any creditor with a security interest described by §12.128(e), the former charter holder may: sell property for fair market value; or transfer property to an open-enrollment charter school or a school district as provided under new §12.1282.

The amount of funds the state is entitled to as reimbursement for property of a former charter holder is:

1. for property retained by the former charter holder, the current fair market value less the amount of any debt subject to a security interest or lien described by Section 12.128(e), multiplied by the percentage of state funds used to purchase the property; or
2. for property sold by the former charter holder, the net sales proceeds of the property multiplied by the percentage of state funds used to purchase the property.

To determine the amount of state funds a former charter holder used to purchase property, TEA shall calculate:

1. an estimated state reimbursement amount based on the last annual financial report filed under §44.008 (school district fiscal management-annual report) available at the time the former charter holder retains or sells the property; and
2. a final state reimbursement amount using the former charter holder's final financial audit filed under Section 44.008.

A former charter holder retaining property under Subsection (a) or selling the property under Subsection (b)(1) shall:

1. file an affidavit in the real property records of the county in which the property is located disclosing the state interest in the property;
2. place in escrow with the state comptroller an amount of non-state funds equal to 110 percent of the estimated state reimbursement amount not later than:
3. the closing date of the sale of the property if the charter holder is selling the property; or
4. the 90<sup>th</sup> day after the charter school's last day of instruction if the charter holder is retaining the property; and
5. not later than two weeks after the date the charter holder's final financial audit is filed under Section 44.008, submit to the state the final state reimbursement amount using the funds in escrow in addition to any other funds necessary to pay the full amount of state reimbursement.

A former charter holder may retain any funds remaining after complying with this section.

As soon as TEA is satisfied that the former charter holder complied with Subsection (e), the agency shall file written notice of the release of the state interest in property the former charter holder retains under this section and authorize the return of any funds not used for state reimbursement to the former charter holder.

Subject to the satisfaction of any security interest or lien described by §12.128(e), if a former charter holder does not dispose of property under Subsection (a) or (b), the former charter holder shall transfer the property, including a conveyance of title, to TEA in accordance with the procedures and time requirements established by the agency.

		<p>Subject to the satisfaction of any security interest or lien described by §12.128(e), if TEA determines a former charter holder failed to comply with this section or §12.1282, on request of the agency, the attorney general shall take any appropriate legal action to compel the former charter holder to convey title to the agency or other governmental entity authorized by the agency to maintain or dispose of property.</p> <p>A decision by TEA under this section is final and may not be appealed. The Commissioner may adopt rules necessary to administer this section.</p> <p>This section sets forth what a former charter holder must do if it retains school property (reimburses the state with non-state funds), sells school property, (pays state net sales proceeds of the property multiplied by the percentage of state funds used to purchase the property), or transfers (conveys title to) school property to another open-enrollment charter school or school district or the state after the school has been closed. As soon as the charter holder has complied with retention or sales requirements, TEA shall file written notice of the release of state interest in the property. If a charter holder does not comply with this section or the next section, the attorney general shall take appropriate legal action to force compliance.</p> <p>TEC §12.1282 is added and provides that TEA may approve the transfer of property described by §12.128 from an open-enrollment charter school that has ceased to operate, or may transfer property conveyed to the agency by the former charter holder under §12.1281, to a school district or an open-enrollment charter school if:</p> <ol style="list-style-type: none"><li>1. the open-enrollment charter school or school district receiving the property:<ol style="list-style-type: none"><li>a. agrees to the transfer; and</li><li>b. agrees to identify the property as purchased wholly or partly using state funds on the school 's annual financial report filed under Section 44.008;</li></ol></li><li>2. any creditor with a security interest in or lien on the property described by Section 12.128(e) agrees to the transfer; and</li><li>3. the transfer of the property does not make the open-enrollment charter school or school district receiving the property insolvent.</li></ol> <p>Property received by an open-enrollment charter school or school district under this section is considered to be state property under §12.128(a).</p> <p>The Commissioner may adopt rules necessary to administer this section, including rules establishing qualifications and priority for a school district or open-enrollment charter school to receive a transfer of property under this section.</p> <p>If TEA determines that the cost of disposing of personal property described by Section 12.128 transferred to the agency by an open-enrollment charter school that ceases to operate exceeds the return of value from the sale of the property, TEA may distribute the personal property to open-enrollment charter schools and school districts in a manner determined by the Commissioner. A determination by TEA under this section is final and may not be appealed.</p> <p>The charter holder of a closed charter school may transfer property to another open-enrollment charter school or school district as the receiving charter school agrees to the transfer, the receiving charter school agrees to identify the property as purchased</p>
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		<p>with state funds, lienholders all agree to the transfer, and the transfer does not make the receiving charter school insolvent. TEA may distribute personal property in a manner determined by the Commissioner.</p> <p>TEC §12.1283 is added to provide that after TEA receives title to property described by Section 12.128, the agency may sell the property at any price acceptable to the agency.</p> <p>On request of the agency, the following state agencies shall enter into a memorandum of understanding to sell property for the agency:</p> <ol style="list-style-type: none"> <li>1. for real property, the General Land Office; and</li> <li>2. for personal property, the Texas Facilities Commission.</li> </ol> <p>A memorandum of understanding entered into as provided by Subsection (b) may allow the General Land Office or Texas Facilities Commission to recover from the sale proceeds any cost incurred by the office or commission in the sale of the property.</p> <p>Subject to the satisfaction of any security interest or lien described by §12.128(e), proceeds from the sale of property under this section shall be deposited in the charter school liquidation fund. The Commissioner may adopt rules as necessary to administer this section.</p> <p>TEA may sell property at any reasonable price. On request of the agency, the General Land Office (with regard to real property) and the Texas Facilities Commission (with regard to personal property) shall sell the property for TEA, recouping their costs from the proceeds. Money that returns to TEA from the sale shall be deposited in the charter school liquidation fund.</p> <p>TEC §12.1284 is added to provide that after extinguishing all payable obligations owed by an open-enrollment charter school that ceases to operate, including a debt described by §12.128(e), a former charter holder shall:</p> <ol style="list-style-type: none"> <li>1. remit to the agency: <ol style="list-style-type: none"> <li>a. any remaining funds described by §12.106(h); and</li> <li>b. any state reimbursement amounts from the sale of property described by §12.128; or</li> </ol> </li> <li>2. transfer the remaining funds to another charter holder under §12.106(i).</li> </ol> <p>TEA shall deposit any funds received under Subsection (a)(1) in the charter school liquidation fund. The Commissioner may adopt rules necessary to administer this section.</p> <p>After paying all its debts, a closed charter holder shall either pay whatever leftover money there is back to TEA (to be deposited in the charter liquidation fund) or transfer the money to another charter holder as long as the receiving charter holder is in good standing.</p>
9	Adds TEC §12.141	<p>TEA shall deposit funds received under §§12.106, 12.128, 12.1281, 12.1283, and 12.1284 into the charter school liquidation fund. These funds may be used to:</p> <ol style="list-style-type: none"> <li>1. pay expenses relating to managing and closing an open-enrollment charter school that ceases to operate, including: <ol style="list-style-type: none"> <li>a. maintenance of the school’s student and other records; and</li> </ol> </li> </ol>

		<p>b. the agency’s personnel costs associated with managing and closing the school;</p> <ol style="list-style-type: none"> <li>2. dispose of property described by §12.128; and</li> <li>3. maintain property described by §12.128, including expenses for insurance, utilities, maintenance, and repairs.</li> </ol> <p>TEA may not use funds under this section until the Commissioner determines if the open-enrollment charter school that ceases to operate received an overallocation of funds under §12.106 that must be recovered for the foundation school program.</p> <p>TEA shall annually review the amount of funds in the charter school liquidation fund and transfer any funds exceeding \$2 million for use in funding a grant program established by the agency to encourage high school students to enter the teaching profession; and assist current paraprofessionals and instructional aides in pursuing the necessary credentials to become full-time teachers or to the comptroller to deposit in the charter district bond guarantee reserve fund under §45.0571.</p> <p>TEA may delay a transfer of funds under Subsection (c) if the excess is less than \$100,000. Funds set aside for an overallocation of funds from the Foundation School Program (FSP) are not included in determining whether the amount of funds exceeds \$2 million. The Commissioner may adopt rules necessary to implement this section.</p>
<b>10</b>	Adds TEC §39A.256(c)	<p>A board of managers appointed for the final closure of a former open-enrollment charter school has the authority to:</p> <ol style="list-style-type: none"> <li>1. access and manage any former charter holder’s bank account that contains funds received under §12.106; and</li> <li>2. subject to approval by a creditor with a security interest in or lien on property described by §12.128 and in accordance with §§12.1281 and 12.1282, sell or transfer to another charter holder or school district any property titled to the former charter holder that is identified in the former open-enrollment charter school’s annual financial report filed under §44.008 as being acquired, wholly or partly, with funds received under §12.106.</li> </ol>
<b>11</b>	Amends TEC §39A.259(c)	TEA shall use funds received by or due to the former charter holder funds returned to the state from liquidation of property and held by a former charter holder for compensation of a member of a board of managers for an open-enrollment charter school or a campus of an open-enrollment charter school or a superintendent.
<b>12</b>	Amends TEC §43.001(a)	This subsection provides that state property reclaimed from closed charter schools is part of the Permanent School Fund.
<b>13</b>	Adds to TEC §44.008, subsections (f), (g), and (h)	<p>An open-enrollment charter school shall provide an accounting of each parcel of the school’s real property, including identifying the amount of local, state, and federal funds used to purchase or improve each parcel of property.</p> <p>An open-enrollment charter school for which the charter has expired, been revoked, or been surrendered or an open-enrollment charter school that otherwise ceases to operate shall submit a final annual financial report to TEA. The report must verify that all state property held by the charter holder has been returned or disposed of in accordance with Section 12.128.</p> <p>The Commissioner may adopt rules necessary to implement this section, including rules defining local funds.</p>



14	N/A	A transfer of property from an open-enrollment charter school that ceases to operate to another open-enrollment charter school that occurred before the effective date of this act is ratified if both open-enrollment charter schools classified the property as purchased with state funds on each school's annual financial report under §44.008.
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**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The Commissioner will adopt and modify rules necessary to implement these sections as soon as practicable.

Amended §12.1167 (appraisal of certain property) provides that the Commissioner may adopt rules that would require an open-enrollment charter school to notify the Commissioner if the school intends to enter into a transaction with a related party and provide a certified appraisal to TEA.

New §12.1281(g) states the Commissioner shall file written notice of a release of the state's interest in property held by a charter holder, which may require rule(s); and subsection (k) of that section states that the Commissioner may adopt rules necessary to implement this section.

New §12.1282(c) (transfer of closed charter school property) provides that the Commissioner may adopt rules necessary to administer that section, including rules establishing qualifications and priority for a school district or open-enrollment charter school to receive a transfer of property under this section.

New §12.1283(e) (sale of property purchased with state funds) states that the Commissioner may adopt rules necessary to administer that section.

New §12.1284(c) (closure of charter school operations) states that the Commissioner may adopt rules necessary to administer that section.

New TEC §12.141(e) (reclaimed funds) states that the Commissioner may adopt rules necessary to administer that section.

New TEC §44.008(h) (annual audit) states that the Commissioner may adopt rules necessary to administer that section, including rules defining local funds.

New TEC §12.141(c) states the Commissioner may commit excess closed charter school funds to "funding a high-quality educational grant program established by the commissioner."

**Summary of IT and Data Implications:**

TEA will manage new data fields to handle the charter school liquidation fund. Redistribution of funds to remaining charters to be done via existing functionality in ledger adjustments. In order to implement the requirements of the bill, TEA will develop and implement changes to the FSP application.

# SB 1476

Author: Bettencourt, Paul

Sponsor: King, Ken

**Bill Summary:** Senate Bill 1476 creates an exception to the requirement for reporting educator misconduct that is defined under TEC §21.006. Specifically, a superintendent or director will not be required to report certain allegations to the State Board for Educator Certification (SBEC) if, through a completed investigation, the school determines that the educator did not engage in the alleged misconduct.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §21.006	<p>Section 1 amends Subsection (b) and (c) and adds Subsection (c-2) to read as follows:</p> <p>§21.006(b) – The language creates an exception to the requirement for a superintendent or director to report certain misconduct to SBEC. The exception is defined in subsection §21.006(c-2).</p> <p>§21.006(c) – The language reinforces the exception by specifying that a superintendent or director is not subject to the seven-business day reporting requirement if the conditions defined in subsection §21.006(c-2) are met.</p> <p>§21.006(c-2) – This new subsection defines the exception. The proposed language states that the requirement to report to SBEC does not apply if the superintendent or director</p> <ol style="list-style-type: none"><li>1) Completes an investigation into alleged incident of misconduct described by TEC §21.006(b)(2)(A) or (A-1) before the educator’s termination of employment or resignation, and</li><li>2) Determines that educator “did not engage” in the alleged incident of misconduct described by subsection (b).</li></ol> <p>§21.006(b)(2)(A) is described as “abuse or unlawful with a student or minor”</p> <p>§21.006(b)(2)(A-1) is described as “involved in a romantic relationship or solicited or engagement of sexual relationship with a student or minor.”</p>
2	N/A	The act applies “beginning with the 2019-2020 school year.”

**Effective Date:** Immediately

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

Texas Administrative Code (TAC) §249.14 will be amended to make SBEC rules consistent with the changes in law

### Summary of IT and Data Implications:

None

## SB 1557

Author: Lucio, Jr. Eddie

Sponsor: Bernal, Diego

**Bill Summary:** Senate Bill 1557 requires TEA to designate a school district campus as a Purple Star Campus if the campus applies and qualifies for the designation by providing additional specified support for military-connected students.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §25.006(d)	Current law defines "military-connected student" as a student enrolled in a school district or open-enrollment charter school who is a dependent of a member of the United States military. This section amends TEC §25.006(d) to change this definition to include a current or former member of the United States military or a member of a military or reserve force who was killed in the line of duty.
2	Adds TEC §33.909	<p>This section adds new TEC §33.909 Purple Star Campus to define "military-connected student" as defined in TEC §25.006.</p> <p>New TEC §33.909(b) requires TEA to designate a school district campus as a Purple Star Campus if the campus applies and qualifies for the designation. To qualify as a Purple Star Campus, a campus must:</p> <ul style="list-style-type: none"> <li>• designate a staff member as a military liaison, whose duties include identifying military-connected students enrolled at the campus through PEIMS; serving as the point of contact between the campus and military-connected students and their families; determining appropriate campus services available to military-connected students; and assisting in coordinating campus programs relevant to military-connected students</li> <li>• maintain on the campus website an easily accessible web page that includes resources for military-connected students and their families, including information regarding relocation to, enrollment at, registration at, and transferring records to the campus; academic planning, course sequences, and advanced classes available at the campus; and counseling and other support services available for military-connected students enrolled at the campus;</li> <li>• maintain a transition program led by students, where appropriate, that assists military-connected students in transitioning into the campus;</li> <li>• offer professional development for staff members on issues related to military-connected students; and</li> <li>• offer at least one of the following initiatives: <ul style="list-style-type: none"> <li>○ a resolution showing support for military-connected students and their families;</li> <li>○ recognition of the Month of the Military Child or Military Family Month with relevant events hosted by the campus; or</li> <li>○ a partnership with a local military installation that provides opportunities for active duty military members to volunteer at the campus, speak at an assembly, or host a field trip.</li> </ul> </li> </ul> <p>A school district campus may partner with the district to provide a website web page if the campus does not have a website; professional development, or an initiative.</p> <p>The agency must adopt rules as necessary to administer this section.</p>
3	N/A	This section establishes that the Act applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The agency will adopt rules as necessary to administer the requirements of this legislation.

**Summary of IT and Data Implications:**

The MILITARY-CONNECTED-STUDENT-CODE code table will be updated with the addition of three new codes. Current code descriptions will be updated to include the “current and former”. Guidance in the Texas Education Data Standards be updated to match the updated definition in the bill.

## SB 1679

Author: West, Royce  
Sponsor: Turner, John

**Bill Summary:** Senate Bill 1679 amends Texas Education Code §29.153 and would provide that a child who is eligible for enrollment in a prekindergarten class at the age of three remain eligible for enrollment at the age of four.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §29.153	<p>New subsection (g) provides that a child who is eligible for enrollment in a prekindergarten class at the age of three remains eligible for enrollment at the age of four.</p> <p>The existing language in Section 29.153 (free prekindergarten for certain children) states that a district shall offer prekindergarten classes if it identifies 15 or more children who are eligible under subsection (b) and are at least four years of age. And a school district may offer prekindergarten classes if the district identifies 15 or more eligible children who are at least three years of age.</p> <p>This bill would enable children who are eligible for prekindergarten enrollment at three years of age to remain enrolled in a prekindergarten class at four years of age, regardless of whether they are still eligible under Subsection (b) at four years of age.</p>
2	N/A	Section 2 of the bill would provide that this act applied beginning with the 2019-2020 school year.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

A new indicator will be added to the public education information management system (PEIMS) summer submission, allowing local education agencies to report when a four year old prekindergarten student is eligible for funding because they attended prekindergarten when they were three years old.

## SB 1707

Author: Lucio, Jr., Eddie

Sponsor: Allen, Alma

**Bill Summary:** Senate Bill 1707 permits memoranda of understanding between school districts and law enforcement agencies regarding school resource officers (and permits the same for the Texas School for the Deaf) and addresses duties of peace officers, school resource officers, and school security personnel.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §30.052(1)	This section amends Texas Education Code (TEC) Sec. 30.052(1) to allow the Texas School for the Deaf to enter into a memorandum of understanding with a local law enforcement agency for the provision of school resource officers.
2	Amends Heading of TEC §37.081	The heading is amended to include “School Resource Officers.”
3	Amends TEC §37.081	<p>Subsection (a) is amended by stating that a board of trustees for a school district may enter into a memorandum of understanding with a local law enforcement agency for the provision of school resource officers and that the jurisdiction of said school resource officers is decided by the school board.</p> <p>Subsection (d) is amended by including school resource officers and security personnel to that provision stating that the school district determines the duties of these people. The duties also must be included in the improvement plan under TEC 11.252, the student code of conduct adopted under TEC 37.001, any memorandum of understanding providing for the school resource officers, and any other document that describes the role of district peace officers, school resource officers, and security personnel.</p> <p>Subsection (d-1) mandates that school district peace officers, school resource officers, and security personnel perform law enforcement duties that must include protecting the safety and welfare of any person in the person’s jurisdiction and the property of the school district.</p> <p>Subsection (d-2) prohibits a school district from requiring a peace officer, school resource officer, or security personnel from engaging in routine student discipline or school administrative tasks or contacting students unrelated to that person’s the law enforcement duties.</p> <p>Subsection (d-3) does not prohibit informal contact with students by school district peace officers, school resource officers, or security personnel.</p> <p>Subsection (d-4) mandates that the school board coordinate with the district campus behavior coordinators and other district employees to ensure that peace officers, school resource officers, and security personnel are only tasked with duties related to law enforcement intervention and not tasked with behavioral or administrative duties better addressed by other district employees.</p>

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

Local education agencies will need to amend the local code of conduct to reflect the changes in law. The agency's Guide to Student Discipline will be updated to reflect the changes.

## SB 1746

Author: Miles, Borris

Sponsor: White, James

**Bill Summary:** Senate Bill 1746 adds a student who has been incarcerated or has a parent or guardian who has been incarcerated, within the lifetime of the student, in a penal institution to the list of students identified as at risk of dropping out of school.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §29.081(d)	Current TEC §29.081(d) includes a list of students who are considered to be at risk of dropping out of school. This bill adds a student who has been incarcerated or has a parent or guardian who has been incarcerated, within the lifetime of the student, in a penal institution as defined by Texas Penal Code, §1.07.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

### Summary of IT and Data Implications:

Local education agencies already report an AT-RISK-INDICATOR-CODE for each student. The new criteria will need to be considered when providing the indicator for each student. There are no impacts to code tables or new data elements to be reported. The data standards guidance associated with at risk students will be updated to include students who have been incarcerated or have a parent or guardian who has been incarcerated, within the lifetime of the student, in a penal institution as defined by §1.07, Penal Code.



## SB 1828

**Author: Menéndez, José**  
**Sponsor: Raymond, Richard**

**Bill Summary:** Senate Bill 1828 requires the Governor to designate a week to be known as Holocaust Remembrance Week in public schools to educate students about the Holocaust, inspire in students a sense of responsibility to recognize and uphold human values, and to prevent future atrocities. This week must include age-appropriate instruction as determined by school districts.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §29.9072	This legislation adds new TEC §29.9072 Holocaust Remembrance Week, to require the Governor to designate a week to be known as Holocaust Remembrance Week in public schools to educate students about the Holocaust, inspire in students a sense of responsibility to recognize and uphold human values, and to prevent future atrocities.  Holocaust Remembrance Week must include age-appropriate instruction as determined by each school district. Instruction must include: <ul style="list-style-type: none"><li>• information about the history of and lessons learned from the Holocaust;</li><li>• participation, in person or using technology, in learning projects about the Holocaust; and</li><li>• The use of materials developed or approved by the Texas Holocaust and Genocide Commission.</li></ul>
2	N/A	This section establishes that this legislation applies beginning with the 2019-2020 school year.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**  
None.

**Summary of IT and Data Implications:**  
None

## SB 2018

Author: Taylor, Larry  
Sponsor: Anchia, Rafael

**Bill Summary:** Senate Bill 2018 abolishes any existing dissolution committee of a former county board of education or board of county school trustees (a Former Entity, at present, only the dissolution committee for the former Dallas County Schools county board of education) on September 1, 2019 and transfers all powers, duties, assets, and liabilities of the Former Entity or its dissolution committee to the commissioners court (Court) of the county in which the Former Entity was located (in this case, the Dallas County commissioners court).

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Uncodified §15.001, Chapter 967 (SB 2065), Acts of the 85th Regular Legislative Session	<p>This section abolishes any existing dissolution committee for a former county board of education or board of county school trustees (Former Entity) (at present, only the dissolution committee for the former Dallas County Schools county board of education) on September 1, 2019 and transfers all duties and obligations to the commissioners court (Court) of the county in which the Former Entity was located (in this case, the Dallas County commissioners court). The bill further provides that the Court assumes ownership of and responsibility for all assets, liabilities, and contracts of the Entity or its dissolution committee, and that the Court takes control of any funds of the dissolution committee, including any sinking fund.</p> <p>Section 1 of the bill further provides that the Court will continue all tax-related activities (and may deduct from Former Entity-related tax proceeds administrative costs for such activities) associated with the Former Entity or its dissolution committee, only until the debts of the Former Entity listed in a district court final judgment for litigation between its dissolution committee and the local county are discharged, but the Court is not required to adopt the tax authorized under Sec. 15.001. Any remaining tax funds are to be distributed by the Court on a proportionate basis (based on student populations) to the school districts within its county. Additionally, an ad valorem tax rate set per this section is not considered an ad valorem tax set by the county for purposes of tax limitations established by other statutory or constitutional provisions.</p> <p>Section 1 of the bill provides that: 1) all other debts of the Former Entity shall be paid from funds of the dissolution committee; 2) all claims against the Former Entity or its dissolution committee are barred after September 1, 2019; 3) the Court may use the funds of the Former Entity's dissolution committee for administrative duties related to the abolishment of the dissolution committee. No county funds may be used to pay debts.</p> <p>Section 1 of the bill also provides, after the payment of all debts of the Former Entity or its dissolution committee, for the proportionate distribution (based on student populations) of any remaining funds to school districts in the county where the Former Entity was located.</p>
2	Repeals §18, Chapter 925 (SB 1566), Acts of the 85th Regular Legislative Session	Section 2 of this bill repeals Section 18, Chapter 925 (SB 1566), Acts of the 85th Regular Legislative Session. (This uncodified section largely mirrored Section 15.001, Chapter 967 (SB 2065), Acts of the 85th Regular Legislative Session.)

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**  
None

**Summary of IT and Data Implications:**  
None

## SB 2073

Author: Taylor, Larry

Sponsor: King, Ken

**Bill Summary:** Senate Bill 2073 allows for school districts that anticipate providing less than 180 days of student instruction may proportionately reduce the number of service days of their teachers without reducing teacher salaries.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §21.401	This section states that school districts that anticipate providing less than 180 days of student instruction may proportionately reduce the number of service days of their teachers without reducing the salaries of those teachers.
2	N/A	Section 2 of the bill provides that the bill only affects teacher contracts entered into on, or after, the effective date of the bill.

**Effective Date:** Immediately

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

## SB 2075

Author: Paxton, Angela

Sponsor: Miller, Rick

**Bill Summary:** Senate Bill 2075 requires TEA to audit and monitor school districts to ensure compliance with state statutory requirements related to serving students with dyslexia and related disorders.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §7.028(a)	Current law establishes that except as provided by TEC §29.001(5), §29.010(a), or §39.057, the agency may only monitor compliance with requirements applicable to a process or program provided by a school district, campus, program, or charter school, including the process described by TEC, Subchapter F, Chapter 11, or a program described by Subchapter B, C, D, E, F, H, or I, Chapter 29, or Subchapter A, Chapter 37, or Section 38.003, and the use of funds provided for such a program under Subchapter C, Chapter 42, only as necessary to ensure compliance with federal law and regulations; financial accountability, including compliance with grant requirements; and data integrity for purposes of the Public Education Information Management System (PEIMS); and accountability. This section adds §28.006, related to reading diagnosis and §38.003, related to screening and treatment for dyslexia and related disorders, to the list of sections excepted from this requirement.
2	Adds TEC §28.006(g-2)	<p>This section adds new TEC §28.006(g-2) to require a school district to notify the parent or guardian of each student determined, on the basis of a screening or other basis, to have dyslexia or a related disorder, or determined, on the basis of reading instrument results, to be at risk for dyslexia or other reading difficulties, of the program maintained by the Texas State Library and Archives Commission providing students with reading disabilities the ability to borrow audiobooks free of charge.</p> <p>TEA must adopt rules including procedures designed to allow the agency to effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with new TEC § 28.006(g-2); identify any problems school districts experience in complying; and develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of new TEC §28.006(g-2) are accomplished.</p>
3	Adds TEC §38.003 (c-1)	This section requires the agency by rule to develop procedures designed to allow the agency to effectively audit and monitor and periodically conduct site visits of all school districts to ensure that districts are complying with state dyslexia requirements, including the program approved by the State Board of Education (SBOE); identify any problems school districts experience in complying with state dyslexia requirements, including the program approved by the SBOE; and develop reasonable and appropriate remedial strategies to address school district noncompliance and ensure the purposes of state dyslexia requirements are accomplished.
4	N/A	This section establishes that the Act applies beginning with the 2019-2020 school year.
5	N/A	This section establishes that TEA is only required to implement a provision of this Act if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, TEA may,

		but is not required to, implement a requirement of this act using other appropriations available for that purpose.
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**Effective Date:** Immediately

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

The bill requires the agency to develop procedures, by Commissioner rule, for auditing and monitoring schools for compliance with requirements for serving students with dyslexia

**Summary of IT and Data Implications:**

None.

## SB 2117

Author: Bettencourt, Paul

Sponsor: Bohac, Dwayne

**Bill Summary:** Senate Bill 2117 extends financial benefits to districts when they collaborate with open-enrollment charters to jointly operate a campus or a program on a campus. The financial benefits provide districts with the higher of the district ADA and the state open-enrollment charter school average ADA for each student, or the proportion of each student’s day, under the direction of the open-enrollment charter school. The financial benefits are eligible for collaborations between district campuses that are rated “C” or higher in the state accountability system and an open-enrollment charter school that has a district accountability rating of “C” or higher. The bill limits these benefits to district-charter program partnerships that were in existence in 17-18 school year.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §11.157	<p>This section adds that a school district that contracts with a governing board of an open-enrollment charter school to jointly operate a campus or a campus program qualifies for funding under §42.4511 for each student or the portion of the student’s school day that is under the direction of the open-enrollment charter school.</p> <p>The applicability of this provision is limited to those program partnerships operating during the 2017-2018 school year.</p> <p>Subsection (c) provides the Commissioner with authority to adopt rules and collect data necessary to determine the portion of funding a school district is entitled to under subsection (b).</p>
2	Amends TEC §42.2511(a) and (b)	<p>This section allows a school district that contracts with an outside entity to operate a campus program to qualify for funding under Section 42.2511. It would allow the average daily attendance of the program to have the same applicability rules as that of a campus operated by a charter entity.</p>
3	N/A	<p>This would apply beginning with the 2019-2020 school year.</p>

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

The Commissioner has authority to adopt rules and collect data necessary to determine the portion of funding a school district is entitled to under subsection (b). These statutory changes would result in local school districts evaluating existing and potential charter partnerships, funding projections, and campus turnaround plans.

### Summary of IT and Data Implications:

None.

## SB 2135

Author: Powell, Beverly

Sponsor: Cortez, Philip

**Bill Summary:** Senate Bill 2135 requires law enforcement agencies to share additional information with a school district, open-enrollment charter school, and private school regarding students arrested by that law enforcement agency.

### Section-by-Section Analysis:

Section	Amended	Change from Current Law
1	Amends Code of Criminal Procedure (CCP) Art. 15.27	<p>The bill amends Subsection (a) to mandate that a report required by CCP Article. 15.27 include whether it is necessary to conduct a threat assessment or prepare a safety plan related to the student that the report required by CCP Art. 15.27 is concerning.</p> <p>The bill adds Subsection (k-1) to explicitly state that a law enforcement agency shall provide to the school district, information that is requested for the purpose of conducting a threat assessment or preparing a safety plan with regards to an arrested student. It also allows for a school board to enter into a memorandum of understanding regarding the exchange of such information, but if no memorandum is created then the information will still be relevant.</p>
2	Amends TEC §37.006(e)	Section 2 carves out any information provided under CCP Art. 15.27(k-1) from information that may be considered by a school district in determining whether a student has engaged in conduct defined as a felony offense by the Penal Code.
3	Amends Texas Family Code §58.008(d) and TEC §58.008	<p>Subsection (5) is added and states that a chief executive officer (CEO) or the CEO's designee of a public or private primary or secondary school may inspect or copy law enforcement records concerning a student enrolled in the school district that employs the superintendent or superintendent's designee seeking to view those records, but only for the purposes of conducting a threat assessment or preparing a safety plan related to the student.</p> <p>Section 3 of the bill also adds Subsection (d-1) to TEC 58.008, which defines a CEO in Subsection (d) as a superintendent, etc. for school districts, open-enrollment charter schools, and private primary and secondary schools.</p>
4	N/A	Section 4 of the bill states that the changes are not retroactive.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

### Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):

This bill requires law enforcement agencies to share information necessary for public and private schools to determine whether a child that has been arrested is a danger to the school. It has an impact on the local government as they will be expressly able to gain access to that information.

### Summary of IT and Data Implications:

None.



## SB 2151

Author: Kolkhorst, Lois

Sponsor: Sheffield, J.D.

**Bill Summary:** Senate Bill 2151 defines a person with diabetes as diagnosed by a physician in accordance with nationally recognized standards as having diabetes. This legislation would also add representatives from the Employee Retirement System (ERS) of Texas, the Teacher Retirement System (TRS) of Texas, and the Texas Workforce Commission (TWC) vocational rehabilitation services division as members of the Texas Diabetes Council. The executive directors of ERS and TRS, and the director of TWC would be required to appoint the agency representatives to the council.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends Health and Safety Code §103.001(2)	This section defines a "person with diabetes" as a person diagnosed by a physician in accordance with nationally recognized standards as having diabetes.
2	Amends Health and Safety Code §§103.001(2), 103.002(a), (b), and (c)	<p>This section adds representatives from the Employee Retirement System (ERS) of Texas, the Teacher Retirement System (TRS) of Texas, and the Texas Workforce Commission (TWC) vocational rehabilitation services division as members of the Texas Diabetes Council. The executive directors of ERS and TRS, and the director of TWC are required to appoint the agency representatives to the council.</p> <p>The Governor must give special consideration to persons active in the American Association of Diabetes Educators when appointing citizen members to the diabetes council.</p>
3	Amends Health and Safety Code §103.010	This section changes the title of Health and Safety Code §103.010 to Staff and Administrative Support and requires the Department of State Health Services (DSHS) to provide administrative support to the council by providing research services and preparing any reports required under this chapter.
4	Amends Health and Safety Code §103.011	This section permits the council to establish work groups in addition to existing advisory committees.
5	Amends Health and Safety Code §103.013	Current law requires DSHS, with the assistance of the Texas Diabetes Council, to develop and implement a state plan for diabetes. This section amends Health and Safety Code §103.013 to add obesity-dependent diabetes and the health impacts of obesity on a person with diabetes to the state plan for diabetes.
6	Amends Health and Safety Code §103.014(a) and (c)	<p>Current law requires the council to address contemporary issues affecting health promotion services in the state. This section amends Health and Safety Code §103.014 to make adjustments to issues the council must address. The council must address the following:</p> <ol style="list-style-type: none"><li>(1) professional and patient education;</li><li>(2) evidence-based diabetes self-management education strategies;</li><li>(3) evidence-based strategies to achieve the council's mission;</li><li>(4) state expenditures for the prevention, detection, management, and treatment of diabetes and obesity; and</li><li>(5) public awareness of the specific risks and benefits of prevention, detection, management, and treatment of diabetes, including obesity-dependent diabetes.</li></ol> <p>This section also permits the council to establish priorities and make recommendations for program expenditures that align with the council's mission.</p>

7	Amends Health and Safety Code §103.017(a) and (c)	Current law requires DSHS, TWC, and the Department of Assistive and Rehabilitative Services to work with the council to jointly develop, produce, and implement a general public awareness strategy focusing on diabetes, its complications, and techniques for achieving good management. This section adds the TWC vocational rehabilitation services division and removes the Department of Assistive and Rehabilitative Services from this requirement.
8	Amends Health and Safety Code §103.0175	Current law requires the Texas Diabetes Council, in consultation with DSHS, to develop and make available materials that provide information about diabetes to be distributed to students and parents of students by health clinics at public primary and secondary schools.  This bill requires the council to consult with DSHS and TEA before developing and making materials available.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None.

## SB 2283

Author: Campbell, Donna

Sponsor: Dutton, Harold

**Bill Summary:** Senate Bill 2283 expands the definition of disqualifying offenses for an individual to be ineligible to serve on a public school district board.

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §11.066	A person is ineligible to serve as a member of a board of trustees of a school district if the person has been convicted of a felony rather than just an offense under §43.02(b) of the Penal Code (relating to the offense of paying for prostitution).

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None

# SB 2293

Author: Fallon, Pat

Sponsor: Dutton, Harold

**Bill Summary:** Senate Bill 2293 adds the requirement that TEA establish by rule a uniform student admission form for all open-enrollment charter schools to use, guidelines for waitlists, and require the agency to establish a new system of state reporting of enrollment figures and waitlist information for all open-enrollment charter schools.

## Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Amends TEC §12.117(a)	<p>This section adds the provision that an open-enrollment charter school's governing body shall use the common student applicant form described by (new) §12.1173 (see section 3 below).</p> <p>This language requires state charter schools to adopt the common student admission application developed by TEA.</p>
2	Amends TEC §12.1171	<p>This section requires a common application pursuant to TEC §12.117 in addition to permitting an audition pursuant to §12.1171. This ensures uniformity across the state's portfolio in the use of an admission and enrollment application.</p>
3	Adds TEC §§12.1173 and 12.1174	<p>The Commissioner shall adopt by rule a common admission form to be used by Texas charter schools, publicize the availability of the form adopted under this section, and provide guidelines for lotteries and waitlists. Subsection (c) outlines the agency's responsibility to create a form to be used and rules to guide the maintenance of a waiting list should the charter school have more applicants than available spots, plus the adoption of rules associated with implementation of this law.</p> <p>Not later than the last Friday in October of each school year, in the form prescribed by Commissioner rule, the governing body of a charter holder shall report to the agency for that school year:</p> <ol style="list-style-type: none"><li>(1) the following information for each campus operating under the charter holder's charter:<ul style="list-style-type: none"><li>(A) the number of students enrolled;</li><li>(B) the enrollment capacity; and</li><li>(C) if a charter holder uses a waiting list for admission to a campus:<ol style="list-style-type: none"><li>(i) the total number of students on the waiting list; and</li><li>(ii) the number of students on the waiting list disaggregated by grade level; and</li></ol></li></ul></li><li>(2) The information described by Subdivision (1) aggregated for all campuses operating under the charter holder's charter.</li><li>(3) Any information required by the Commissioner as necessary to identify each student admitted to or on a waiting list for admission to a campus operating under the charter holder's charter who is, or was previously, enrolled in a public school in this state.</li></ol> <p>From information provided to the Commissioner by each charter holder under this subchapter, the Commissioner shall identify each group of charter holders considered by the Commissioner to be corporate affiliates or substantially related</p>

		<p>charter holders. Using the information reported under Subsections (a) (1) and (2), the agency shall aggregate the information in each group of charter holders identified by the Commissioner under this subsection.</p> <p>By March 15<sup>th</sup> of each year, the Commissioner must post the information reported by charter holders under this section.</p>
<b>4</b>	N/A	By January 1, 2020, the Commissioner must adopt a common admission application form, waiting list guidelines, and any other rules necessary to implement TEC §12.1173.
<b>5</b>	N/A	TEC §§12.117 and 12.1171, Education Code, as amended by this Act, and Section 12.1174, Education Code, as added by this Act, apply beginning with the 2020-2021 school year.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** Yes

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

Rules related to TEC §12.1173 must be adopted not later than January 1, 2020.

New TEC §12.1173(a) states that the Commissioner by rule shall adopt a common admission application form for use by an applicant for admission to an open-enrollment charter school that provides for the submission of information that the Commissioner considers appropriate.

TEC §12.1173(c) states that the Commissioner by rule shall adopt guidelines to create and manage a waiting list each school year for applicants who are not admitted.

TEC §12.1173(d) states that the Commissioner shall adopt any other rules as necessary... including rules to ensure this section complies with federal law regarding confidentiality of student medical or educational information and any state law relating to the privacy of student information.

TEC §12.1174(a) states that in the form prescribed by Commissioner rule, the governing body of a charter holder shall report to the agency for that school year information on that school's enrollment status.

Current rules in Texas Administrative Code (TAC) §100.1015 will be amended to align with this requirement for new charter applicants.

**Summary of IT and Data Implications:**

The bill would create a new data reporting requirement for open-enrollment charter schools. Charter schools would have to report, at a campus level, whether or not the campus has a waitlist. If the campus does have a waitlist, student level waitlist data would need to be submitted. The enrollment capacity of each campus related to the campus waitlist would also have to be submitted. The Commissioner would identify corporate affiliates or closely related charter schools from data currently in the charter school tracking system (CSTS).

## SB 2432

Author: Taylor, Larry

Sponsor: Sanford, Scott

**Bill Summary:** Senate Bill 2432 establishes that conduct containing harassment against school district employees is added as one of the activities committed by a student when on or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property for which a student shall be removed from class and placed in a disciplinary alternative education program..

### Section-by-Section Analysis:

Bill Section	Statute Added or Amended	Change from Current Law
1	Adds TEC §37.006(G)	A student can now be removed from class and placed in a disciplinary alternative education program if that student engages in conduct that contains elements of the offense of harassment against an employee of a school district.
2	N/A	Act applies beginning with the 2019-2020 school year.

**Effective Date:** September 1, 2019

**Does this Affect Charters:** No

**Summary of Implementation Requirements (rules, study, contract, pilot program, etc.):**

None

**Summary of IT and Data Implications:**

None