

**Briefing Book
on
Public Education Legislation**

**80th Texas
Legislative Session**



**Division of Governmental Relations
Texas Education Agency
July 2007**

HB 2237, Section 1

Statute Amended or Added: Amends Sections 7.009(a) and (b), Education Code

Summary: Adds *dropout prevention* as one of the main topic areas to be included in the Best Practices Clearinghouse. The main topic areas already in statute are instruction, public school finance, resource allocation, and business practices.

Change from current law: Not applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None. The Best Practices Clearinghouse Website is currently under development and will include drop out prevention as one of the main topic areas. The Clearinghouse submission form is currently being piloted and will be revised to include drop out prevention as a main topic area.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Adds Section 7.031, Education Code

Summary: Directs the commissioner to contract with one or more centers for education research or any other public or private entity to study the best practices of campuses and school districts regarding dropout prevention programs. The section also requires a report to be prepared and presented to the governor, lieutenant governor, the speaker of the House of Representatives, and the presiding officers of the standing committees of each house of the legislature with primary jurisdiction over public education no later than December 1, 2008. The report must identify any high-performing dropout prevention programs, identify programs with the most potential for success in Texas and recommend legislation or other actions necessary to implement a dropout prevention program.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: A Request for Proposals must be developed to identify an appropriate entity to conduct the study. The study must then be conducted and a report developed based on study findings.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? Yes. The section requires that a final report be produced and delivered no later than December 1, 2008.

Statute Amended or Added: Adds Section 7.062 and amends Section 42.158, Education Code.

Summary: Section 3 of the bill makes provisions for a science laboratory grant program. The commissioner is directed to make competitive grants for the purpose of constructing or renovating high school science laboratories. Project funding is limited to \$200 per square foot for new construction, and \$100 per square foot for renovations. In order to be eligible for grant, districts will be required to demonstrate that their existing science laboratories are insufficient in number to comply with the curriculum requirements under the recommended and advanced high school programs.

Eligible applicants will be ranked according to their wealth per student in average daily attendance (ADA), with priority for funds going to low-wealth school districts. Funding is contingent upon the commissioner identifying a surplus of funds in the appropriations for the Instructional Facilities Allotment (IFA) and Existing Debt Allotment (EDA) programs.

Section 15 of the bill provides additional funding of \$1 million in the New Instructional Facilities Allotment (NIFA) for high school campuses. These additional funds are to be used to prevent the proration of funds to high school campuses that might occur if the original \$25 million appropriation for NIFA is insufficient to cover districts' requests for funds. Any funds remaining can be applied to other types of campuses to prevent proration of the allotment.

Change from current law: The bill adds a new science laboratory grant program and provides additional funds for the NIFA program.

Effective Date: June 15, 2007

Action required for 2007-2008 School Year: Districts may apply for science laboratory grant funds after it is determined whether funds will be available.

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? Commissioner, rules are required for the science laboratory grant program. The commissioner has existing rulemaking authority for NIFA.

Does this apply to charters? No

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

SB 1433

Statute Amended or Added: Adds Section 7.113, Education Code

Summary: The State Board of Education shall create the Employers for Education Excellence Award to honor employers that implement a policy to encourage and support employees who actively participate in activities of schools.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: The agency will establish the criteria to certify businesses to receive the Employers for Education Excellence Award.

Outstanding Issues: Not applicable

Does this bill create a new program? Yes

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 11.051, 11.159(b), and 11.201(d). Adds Sections 8.011, 11.0621, 11.1511, and 11.1512. Amends Section 11.063 and redesignates that section as Section 11.1513, Education Code.

Summary: Expands upon the statutory designation of powers and duties of boards of trustees and of the superintendent. New Section 11.1511 enumerates powers and duties of a school board, including cross-references to powers and duties in other sections of the code.

With respect to board operations, Section 11.151(a-1) provides that the board may act only by majority vote. The board is required to give the superintendent an opportunity to present a recommendation to the board on any item subject to board vote.

The legislation specifies that several matters are to be included in the record of a board meeting, including whether each board member is present or absent (Sec. 11.0621), whether the board accepts or rejects a recommendation from the superintendent regarding the selection of district personnel (Sec. 11.1513), and whether, at the final regular meeting for a calendar year, each trustee has met or is delinquent in meeting the training required under Sec. 11.159. New Section 11.1512 addresses collaboration between the board and superintendent.

New Subsections (f)-(h) of Section 11.1512 address the applicability of the nepotism law (Chapter 573, Government Code) to the superintendent and the board. Under the new law, the nepotism law applies to the board members in addition to the superintendent if hiring authority has been delegated to the superintendent except in a district with the majority of its territory located in a county of 35,000 or less.

New Section 8.011 expands the applicability of the nepotism law to the members of the board of directors of a regional education service center in addition to the executive director.

Change from current law: Much of the bill is a centralization of statutory and common law applicable to school board. A notable change from current law is the nepotism provisions included in the bill. Under an opinion of the attorney general, the nepotism law does not currently apply to school district board members in situations where the board has delegated hiring authority to the superintendent. This bill makes the nepotism law apply to board members in larger counties in that situation and also specifies that the nepotism law applies to regional education service center boards of directors. Also, the bill expressly provides statutory authority for a school board to delegate contractual authority to the superintendent (Sec. 11.1511(c)(4).)

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: School districts should carefully review district governance policies for any revisions needed to conform to the legislation. School districts must insure that they have in place appropriate complaint and grievance procedures (Sec. 11.1511(b)(13) and Sec. 11,1513(i).)

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Amends Section 11.0581(a), Education Code and Section 41.0051, Election Code

Summary: Section 11.0581, Education Code, currently requires an independent school district to hold joint elections either on the date of the general election for state and county officers or on the election date of a local municipality. HB 945 amends that section to permit the third option of a joint election on the election date of a local hospital district if the school district is wholly or partly located in a county with a population of less than 30,000 that is adjacent to a county with a population of more than three million and the school district held its election for trustees jointly with the election for the members of the governing body of the hospital district before May 2007.

HB 945 also amends Section 41.0051, Election Code, to permit an independent school district located wholly or partly in a city that holds elections under that section to hold the district trustee election as a joint election with the city on the city's election date under that section, which may be on any Saturday in April in odd-numbered years. The city of Corpus Christi currently holds elections under Section 41.0051, Election Code.

A school district that is eligible to use a new election date option under new Section 11.0581(a)(e) or under Section 41.0041, Election Code, and wishes to do so must change its election date for that purpose not later than December 31, 2007. The board shall adjust the terms of office of trustees to conform to the change of the election date.

Change from current law: The bill provides additional election date options for joint elections for certain school districts.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: No action required, however, a school district that wishes to exercise the new election date options provided by this bill must adopt the applicable new election date and adjust the terms of its trustees accordingly by December 31, 2007.

Outstanding Issues: Preclearance by the U. S. Department of Justice of SB 670 and preclearance of election changes adopted by local boards of trustees.

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Adds Section 11.059(e), Education Code.

Summary: Authorizes the board of trustees of a school district to change the length of the terms of its trustees by resolution. The resolution must provide for a term of either three or four years and must specify the manner in which the transition from the length of the former term to the modified term is made.

The resolution must be adopted before December 31, 2007. The transition must begin with the first regular election for trustees that occurs after January 1, 2008, and a trustee who serves on that date shall serve the remainder of the trustee's term. The subsection expires January 1, 2013.

Change from current law: Section 11.059 does not currently include express language authorizing a board of trustees to change the length of trustee terms between three or four years. However, on April 4, 2007, the Attorney General issued Tex. Att'y Gen. Op. No. GA-0535, concluding that a board of trustees may change the length of trustee terms from three years to four years under Sections 11.0581 and 11.059 in order to hold the joint elections required under Section 11.0581.

Effective Date: April 25, 2007

Action required for 2007-2008 School Year: Action under SB 670 is optional. However, pursuant to Tex. Att'y Gen. Op. No. GA-535, some districts may be required to change trustee terms from three or four years to comply with the Section 11.0581 requirement to hold joint elections. Under new Section 11.059(e), this action must be taken not later than December 31, 2007.

Outstanding Issues: Preclearance by the U. S. Department of Justice of SB 670 and preclearance of election changes adopted by local boards of trustees.

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Adds Section 11.163(f), Education Code.

Summary: Requires the board of trustees of an independent school district to adopt an employment policy. Subsection (f), as added SB 135, provides that the employment policy may not restrict the ability of a school district employee to communicate directly with a member of the board of trustees regarding a matter relating to the operation of the district, except for ex parte communication relating to a hearing under Subchapter E or F, Chapter 21, or to another appeal or hearing in which ex parte communication would be inappropriate pending a final decision by the school board.

Change from current law: Before enactment of this legislation, school employee communications with board members were not expressly addressed by statute. The prior provisions of Sec. 11.163 apply primarily to the matters relating to the hiring process rather than conduct during the period of employment.

Effective Date: April 23, 2007

Action required for 2007-2008 School Year: As the legislation took effect on April 23, 2007, a school board should review its employment policies immediately for any conflicts with the new Section 11.153(f) and update its policies for that purpose if needed.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Adds Section 11.171, Education Code.

Summary: Requires that a school district grievance policy permit an employee to report a grievance against a supervisor that alleges the supervisor's violation of the law in the workplace or the supervisor's unlawful harassment of the employee to a supervisor other than the supervisor who is the subject of the allegations.

Change from current law: Currently, statute does not prescribe any parameters for district grievance policy provisions related to grievances against supervisors.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: School districts need to review their grievance policy for conformity with the requirements of this legislation and update the policy for this purpose if needed.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters

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

Statute Amended or Added: Adds Section 11.201(e), Education Code.

Summary: Prohibits the superintendent of a school district from receiving any financial benefit for personal services performed for any business entity that conducts or solicits business with the district. The legislation requires that any financial benefit received by the superintendent for performing personal services for any other entity, including a school district, open-enrollment charter school, regional education service center, or public or private institution of higher education, be approved by the board of trustees on a case-by-case basis in an open meeting. Under the new subsection, the receipt of reimbursement for a reasonable expense is not considered a financial benefit. The new law applies only to a contract between a superintendent and a business entity that is entered into on or after the effective date of the HB 189.

Change from current law: Currently, the outside employment of a superintendent is not governed by state statute, but may be restricted by local policy or contract.

Effective Date: May 15, 2007

Action required for 2007-2008 School Year: Beginning May 15, 2007, a school district superintendent must submit any outside employment to the school board for approval.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters

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

Statute Amended or Added: Adds Section 11.304, Education Code.

Summary: Provides that the procedures for write-in voting prescribed for an election for trustees of an independent school district under Section 11.056 apply to an election for trustees of a common school district operating under former Chapter 22 as that chapter existed on May 1, 1995.

Change from current law: There is no current provision requiring write-in candidates for trustee of a common school district to declare their participation in an election in order to allow the cancellation of the election if there is no competitive race on the ballot. Therefore, common school districts do not have the ability to eliminate the time and expense associated with conducting an election when there are no competitive races. HB 606 allows a common school district to use the election cancellation option that is available to other school districts in the state.

Effective Date: June 15, 2007. New Section 11.304 applies to the conduct of an election for trustees of a common school district that is ordered on or after the effective date of HB 606.

Action required for 2007-2008 School Year: As provided by new Section 11.304, a common school district will apply the provisions of Section 11.056 to write-in trustee candidates for elections ordered on or after the effective date of HB 606.

Outstanding Issues: Preclearance of HB 606 by the U.S. Department of Justice.

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Amends Section 21.003(a) and 21.401, Education Code.

Summary: Adds the position of educational diagnostician to the list of educational professionals who may not be employed by a district for certain positions without the appropriate certificate or permit issued by the State Board for Education Certification. A school district needs to verify that the educator holds the appropriate certificate or permit before employing that educator.

Change from current law: No

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section, 21.006, Education Code

Summary: Requires school superintendents to notify SBEC if they have reason to believe that a certified educator who has resigned or been terminated has engage in certain types of misconduct, including sexual abuse of a student. This amendment specifies that the identity of the student victim of this offense must be reported to SBEC but is not public information under the Public Information Act.

Change from current law: The victim's identity was not previously specifically excepted from the disclosure requirements of the Public Information Act.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 21.052, Education Code

Summary: The board may issue a temporary certificate to an educator from out of state who holds a degree, a certificate or other credentials issued by another state but who has not satisfied the Texas examination requirements. This temporary certificate applies to educators that are employed by a school district that has constructed or expanded at least one instructional facility as a result of increased student enrollment due to actions taken under the Defense Base Closure and Realignment Act of 1990. The temporary certificate will not expire before the first anniversary of the date on which the board completes the review of the educator's credentials and informs the educator of the examination(s) on which the educator must perform successfully to receive a standard certificate.

Change from current law: No

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, SBEC

Does this apply to charters? Yes

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

Statute Amended or Added: Adds 21.4511, 21.4551, 21.462 and amends 28.006, Education Code

Summary: Section 4 of the bill provides for the implementation of teacher reading academies for English language arts and reading teachers as well as teachers of mathematics, science, and social studies in grades 6-8. Teachers who attend will receive a stipend. The commissioner by rule shall require a teacher to attend a reading academy if the teacher provides instruction in reading, mathematics, science, or social studies to students in grades 6-8 at a campus that is considered academically unacceptable. The commissioner will also conduct or contract for a comprehensive evaluation of this project.

In addition, Section 4 of the bill adds §21.4511 which provides for grants for technical assistance and professional development activities for teachers and administrators of public schools.

Section 6 calls for districts to administer the reading assessment (the administration and use of which will be part of the content of the reading academies) to students in grade 7 who did not demonstrate reading proficiency. Districts must provide intensive reading instruction and intervention to these students based on the results of the assessment.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: The reading academies will be developed and training-of-trainers sessions will be conducted so that the grade 6 academies may begin in the summer of 2008 with grades 7 and 8 in 2009.

Outstanding Issues: Criteria for teacher eligibility and definition of grade 6 reading proficiency

Does this bill create a new program? Yes

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Yes

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

Statute Amended or Added: Adds Section 21.4541, Education Code

Summary: Requires the Commissioner of Education by rule to establish a pilot program under which participating school districts and campuses receive grants to provide assistance in developing the content knowledge and instructional expertise of teachers who instruct students in mathematics at the middle, junior high, or high school level. A grant awarded as part of this pilot may be used to support intensive instructional coaching and professional development from a service provider approved by the Commissioner. An instructional coaching or professional development program supported by a grant through this pilot must demonstrate significant past effectiveness in improving mathematics instruction in middle, junior high, or high schools serving a significant number of students identified as at risk of dropping out of school.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: School districts will be able to participate in the pilot beginning with the 2007-2008 school year. The Commissioner must decide whether to approve service providers and then implement the decision.

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? Yes. The Commissioner will adopt rules to implement the pilot program.

Does this apply to charters? Charters will be able to participate in the pilot program.

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

Statute Amended or Added: Adds Sections 8.057, 12.1059, 21.007, 21.060, 22.0831-22.0837, 22.087, and 38.022, Education Code. Amends Sections 21.048, 22.081, 22.082, 22.083, and 22.085, Education Code. Repeals Subsection (c) & (d), 22.083, Education Code. Amends Sections 261.308, 261.406, Family Code. Amends 411.042, 411.081, 411.083, 411.087, 411.090, 411.097, 552.116, Government Code. Adds Sections 411.0845, 411.0901, Government Code. Amends Section 730.007, Transportation Code

Summary: Requires a national criminal history background check for all certified public school employees by September 1, 2011. Current non-certified employees are required to submit to a statewide criminal review, while non-certified employees hired on or after January 1, 2008 will be required to submit to a national criminal history background check. Individuals would be prohibited from employment with a public school district if they have been convicted of either a Title 5 felony offense or a sex offense, if the victim of the crime was a child or a primary or secondary school student.

A person may not be employed or serve as a teacher, librarian, educational aide, administrator, or counselor for an open-enrollment charter school unless the person's national criminal history record information has been submitted. TEA shall review such information in the same manner as for certified educators, and if TEA determines that the person would not be eligible for certification, it shall notify the charter school that the person may not be employed in any of the listed capacities.

SB 9 also requires a national criminal history background check for all substitute teachers by September 1, 2011. Substitutes may not be employed if they have been convicted for a Title 5 felony offense or a sex offense when the victim of the crime was a child, a primary or secondary school student, or if their certification has been revoked or is currently suspended.

Contractors who have direct contact with students will be required to submit to a national criminal history background check, and student teachers and volunteers will be required to submit to a statewide criminal review. TEA and SBEC are not involved in these reviews.

SB 9 creates a clearinghouse at the Department of Public Safety for national criminal history information, including updates as new information is reported, and authorizes and requires DPS to share that information with TEA, SBEC, and school districts, so that when an employee transfers to another employer, costs associated with background checks will be reduced, and the information will be readily available to all who are entitled to it.

Other provisions of SB 9 allow TEA to require regional education service centers to assist in collecting information necessary for criminal history record information reviews, require SBEC to adopt procedures providing for immediate notice of alleged misconduct on an educator's certification records if the misconduct presents a risk to a student or minor, specify that certain criminal offenses are considered to be related to the education profession, and provide that educator certification exam results are not subject to disclosure under the Public Information Act, unless the educator has failed an exam more than five times.

SB 9 also broadens the scope of information that SBEC may obtain from law enforcement and criminal justice agencies in connection with the investigation of allegations against an educator or applicant, allows private schools as well as public education entities to obtain criminal history information on any person who will have direct contact with students, and provides that TEA may collect a fee to cover the cost of the criminal history reviews it is required by SB 9 to conduct for noncertified employees, charter school employees, and substitute teachers.

SB 9 also and provides that superintendents and directors of charter schools, private schools, shared service arrangements, and regional service centers are required to notify SBEC in writing of any reported criminal history of an educator, amends the Family Code to allow SBEC access to child abuse and neglect reports relating to educators SBEC believes are necessary to assist it in protecting children, expands the Public Information Act exception for audit working papers to include audits relating to criminal history background checks.

Change from current law: SB 9 authorizes and requires greatly expanded criminal history information reviews for most classes of educators and school employees, including national criminal history background checks based on the submission of fingerprints for all certified and currently employed educators, as well as all substitute teachers, whether or not certified, by September 1, 2011, certain charter school employees, and all noncertified school employees hired after January 1, 2008. SB 9 creates a criminal history information clearinghouse to facilitate access to that information and to provide updates of any subsequent criminal history, and provides that, based on a review of that information, TEA will certify to districts whether certain charter school employees, substitute teachers, and noncertified school employees are employable under the standards imposed by the bill.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: Create rules, procedures, and databases for the fingerprinting and review of certified, noncertified, charter school, and substitute teacher school employees.

Outstanding Issues: In order to draft our rules and procedures, TEA needs more information from DPS regarding their fingerprint database capabilities and how they're going to set up the criminal history clearinghouse, and SBEC/TEA needs to determine what educators are currently employed, where they're employed, and how we're going to schedule and notify the estimated 400,000 active educators who are going to have to be fingerprinted over the next 4 years.

Does this bill create a new program? Yes; it greatly expands the criminal history review by SBEC of certified educators, and it requires new TEA programs to collect, review, and track the criminal history of noncertified, charter school, and substitute teacher school employees.

Rulemaking Authority Yes, Commissioner and State Board for Educator Certification

Does this apply to charters? Yes

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



Statute Amended or Added: Adds Section 22.0511(d), amends Section 31.104(e), Education Code.

Summary: This bill would prevent the board of trustees of a school district from requiring an employee of the school district to pay for a textbook, electronic textbook, or item of technological equipment that is damaged, stolen, misplaced, or not returned. Further, a school district employee would not be able to waive this prohibition by contract or by any other means. A school district may enter into a written agreement with a school employee whereby the employee assumes financial responsibility for electronic textbook or technological equipment usage off school property or outside of a school-sponsored event. Such a written agreement is separate from the employee's contract and shall inform the employee of the amount of financial responsibility and advise the employee to consider obtaining appropriate insurance. An employee may not be required to agree to such an agreement as a condition of employment.

Change from current law: TEC 31.024(d) requires a student and the student's parent or guardian to be responsible for each textbook not returned by the student and protects public school employees from financial responsibility for textbooks not returned by the student. This bill strengthens that language, includes electronic textbooks and technological equipment and addresses newer concerns regarding items such as cell phones, iPods, MP3 players and other technological equipment that a teacher may take up from a student because of inappropriate use in the classroom. If this equipment was damaged, lost or stolen while in the teacher's care, the teacher would not be liable. It also provides for the use of electronic textbooks and technological equipment off school property and a separate agreement for financial responsibility.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: School districts must ensure policies regarding textbooks, electronic textbooks, and technological equipment comply with this statute.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 25.001, 25.085(f), 29.092, 29.153(b), 42.003(a), Education Code

Summary: Authorize a district to admit a person who is at least 21 years of age and under 26 years of age for the purpose of completing the requirements for a high school diploma. The student's attendance will be eligible for state funding. If the person has not attended school in the three preceding school years, the person may not be placed with a student who is 18 years of age or younger in a classroom setting, a cafeteria, or another district-sanctioned school activity. A person in this age category who is admitted by a school district is not eligible for placement in a disciplinary alternative education program or a juvenile justice alternative education program. If the student engages in conduct that would otherwise require such placement, the district is required to revoke admission of the student into the public schools of the district.

The amendment to 29.092 allows a student who is in attendance for at least 75 percent but less than 90 percent of the days a class is offered to be given credit if the student completes a plan approved by the school's principal that provides for the student to meet the instructional requirements of the class. A student under the jurisdiction of a court in a criminal or juvenile justice proceeding may not receive credit under this provision without the consent of the judge presiding over the student's case.

The amendment to Sec. 29.153 adds a category of eligibility for prekindergarten. Under the amendment, a child is eligible if the child is or ever has been in the conservatorship of the Department of Family and Protective Services following an adversary hearing under Section 262.201, Family Code.

Change from current law: Currently, a student is not eligible for state funding if the student is 21 years of age or older on September 1 of the school year unless the student remains eligible for special education. Under the new law a student who is 21 or older but under the age of 26 is eligible for state funding if admitted by a district for the purpose of completing graduation requirements.

Currently, a student loses course credit if the student not present at least 90 percent of the days a class is offered. A local attendance committee may restore the credit under district guidelines. Under the new law if the student is present at least 75 percent of the class days but less than 90, the student may regain credit under a plan provided by the school principal. The attendance committee process remains in place for students with a higher percentage of absences.

Current law provides five bases of eligibility for prekindergarten. The new law provides a sixth basis, which is being or having ever been in the conservatorship of the Department of Family and Protective Services following an adversary hearing under Section 262.201, Family Code.

Effective Date: June 15, 2007. Applies beginning with the 2007-2008 school year.

Action required for 2007-2008 School Year: Update applicable prekindergarten policies and enrollment forms. Decide whether to implement new authority under Section 25.001 and 25.092 and adopt applicable policies as needed.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? The amendment to Section 29.153 regarding prekindergarten eligibility applies to charters because it is part of Subchapter E, Chapter 29, which is expressly applicable to charters under Section 12.104(b)(2)(H) of the Education Code. The remainder of the legislation does not expressly apply to charters.

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

Statute Amended or Added: Adds Section 25.043, Education Code.

Summary: Permits a parent of multiple birth siblings who are assigned to the same grade level and school to request that the school place the siblings either in the same classroom or in separate classrooms. The request must be submitted in writing not later than the 14th day after the first day of enrollment. The school may recommend to a parent the appropriate classroom placement for the multiple birth siblings and may provide professional educational advice to assist the parent with the decision regarding appropriate classroom placement.

The school shall provide the multiple birth siblings with the classroom placement requested by the parent, except that:

(1) at the end of the first grading period following the multiple birth siblings' enrollment in the school, if the principal of the school, in consultation with the teacher of each classroom in which the multiple birth siblings are placed, determines that the requested classroom placement is disruptive to the school, the principal may determine the appropriate classroom placement for the siblings; and

(2) a school district is not required to place multiple birth siblings in separate classrooms if the request would require the school district to add an additional class to the grade level of the multiple birth siblings.

If a principal decides to change the classroom placement at the end of the first grading period, the parent may appeal the principal's decision in the manner provided by school district policy. During an appeal, the multiple birth siblings shall remain in the classroom chosen by the parent.

The new law does not affect individual placement decisions of a school district admission, review, and dismissal committee or the right of a school district or teacher to remove a student from a classroom under Chapter 37.

Change from current law: Currently, under Section 26.003, any parent may submit a request to an appropriate administrator to change the class or teacher to which a student is assigned if the change would not affect the assignment or reassignment of another student. The decision of the board of trustees regarding such a request is final. New Section 25.043 provides more specific rights and process for parents of multiple birth siblings.

Effective Date: May 15, 2007. Applies beginning with the 2007-2008 school year.

Action required for 2007-2008 School Year: Implement requirement to accommodate parental requests regarding classroom placement of multiple birth siblings. Ensure that the district has a policy in place to govern the appeal by a parent of a principal's decision regarding the classroom placement of multiple birth siblings.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? None

Does this apply to charters? Does not expressly apply to charters

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

Statute Amended or Added: Amends Section 25.0341(a) and 37.007(a), Education Code

Summary: HB 8 is a bill relating to the prosecution, punishment, and supervision of certain sex offenders and to certain crimes involving sex offenders. It makes numerous changes to the law in this area, including establishing a new criminal offense under Section 21.02 of the Penal Code entitled "Continuous Sexual Abuse of Young Child or Children." (See Section 1.17 of the bill.)

Section 3.25 of the bill amends Section 25.0341 of the Education Code, which relates to the transfer of students involved in sexual assault. The amendment makes the section applicable to a student convicted of the offense of Continuous Sexual Abuse of Young Child of Children and the student's victim.

Section 3.26 of the bill amends Section 37.007 of the Education Code, which establishes the actions for which a student must be expelled. The amendment adds engaging in delinquent conduct that contains the elements of the offense of Continuous Sexual Abuse of Young Child or Children, on school property or while attending a school-sponsored or school-related activity on or off of school property, to the list of bases for expulsion.

Change from current law: Because the relevant criminal offense is a new offense created by the bill, there currently are no references in the Education Code to the specific offense of Continuous Sexual Abuse of Young Child or Children.

Effective Date: September 1, 2007. The bill applies to an offense committed on or after September 1, 2007. An offense is considered to be committed before September 1, 2007 if any element of the offense occurred before that date. (See Section 4.01 of the bill.)

Action required for 2007-2008 School Year: Revise policy regarding transfers under Section 25.0541 and revise student code of conduct regarding bases of expulsion to conform to this legislation.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? The amendments to Sections 25.0341 and 37.007 do not expressly apply to charters.

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

Statute Amended or Added: Adds Section 25.0811(b), Education Code

Summary: Authorizes a school district that does not offer each grade level from kindergarten through grade 12 and whose prospective or former students generally attend school in another state for the grade levels the district does not offer to start school on any date permitted under Section 25.0811(a) or under the law of the other state. This bill applies to the Texahoma school district, which has schools located in both Texas and Oklahoma.

Change from current law: Currently, all school districts are subject to Section 25.0811(a) which provides that a school year may not begin before the fourth Monday in August. The new law provides an alternative for certain districts whose students attend school in another state for certain grade levels.

Effective Date: June 15, 2007. Applies beginning with the 2007-2008 school year.

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Adds Section 25.085(f), Education Code.

Summary: The new subsection added by HB 566 authorizes the board of trustees of a school district to adopt a policy requiring a person who voluntarily enrolls in school or voluntarily attends school after the person's 18th birthday to attend school until the end of the school year. Section 25.094, Failure to Attend School, applies to a person subject to a policy adopted under new Section 25.085(f). Sections 25.093, Parent Contributing to Nonattendance and 25.095, Warning Notices, do not apply to the parent of a person subject to a policy adopted under new Section 25.085(f).

Change from current law: Currently, a student who is 18 or older is not subject to the offense of Failure to Attend. However, current Section 25.085(e) allows a school district to revoke the enrollment of a person who voluntarily enrolls in school or voluntarily attends school after the person's 18th birthday if the person has five or more unexcused absences in a semester. The revocation is effective for the remainder of the school year. A school district continues to have the option to revoke enrollment under Subsection (e) in addition to the alternative attendance enforcement provision under Subsection (f) as added by HB 566.

Effective Date: May 10, 2007. Applies beginning with the 2007-2008 school year.

Action required for 2007-2008 School Year: There is no action required because the new provision is not mandatory. A school board that wishes to implement the new authority must adopt a policy to do so.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Amends Section 25.087(b) and adds Section 25.087(c), Education Code.

Summary: Under this legislation, a school district is required to excuse a student from attending school for the purpose of a required court appearance, including travel for that purpose. The student may not be penalized for the absence and is counted as if the student attended school for purposes of calculating average daily attendance. The student shall be allowed a reasonable time to make up school work missed and, if the student satisfactorily completes the school work, the day of absence is counted as a day of compulsory attendance.

Change from current law: Currently, under the circumstances specified in 19 TAC. §129.22(a), the absence of a student who has been referred to a juvenile court for delinquent conduct or conduct indicating a need for supervision is excused if the juvenile judge or probation officer assigned has detained the student or required the student to participate in activities related to the student's referral, which could include court appearances. Under current Section 25.087, Education Code, a district could choose to excuse an absence for a court appearance not addressed by 19 TAC §129.22(a). However, whether or not the absence falls under 19 TAC §129.22(a) or is otherwise excused, the student is not currently counted in average daily attendance. The new provision includes a student who is absent for a required court appearance in average daily attendance as if the student actually attended school.

Effective Date: June 15, 2007. Applies beginning with the 2007-2008 school year.

Action required for 2007-2008 School Year: A school district must excuse an absence that is for the purpose of a required court appearance.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Adds Sections 25.087(c) and 54.215, Education Code and Section 434.0072, Government Code.

Summary: Under new Section 25.087(c), Education Code, a school district is authorized to excuse the absence of a student in grades 6 through 12 for the purpose of sounding "Taps" at a military honors funeral held in this state for a deceased veteran. A student whose absence is excused for that purpose may not be penalized for the absence and shall be counted as if the student attended school for purposes of calculating average daily attendance. Also, the student shall be allowed a reasonable time to make up school work missed. If the student satisfactorily completes the school work, the day of absence is counted as a day of compulsory attendance.

New Section 434.0072, Government Code, directs the Texas Veterans Commission to establish a program to issue vouchers for an exemption from the payment of tuition and required fees at an institution of higher education to students in grades 6 through 12 or at postsecondary educational institutions who sound "Taps" on a bugle, trumpet, or cornet during military honors funerals held in this state for deceased veterans. The commission shall also encourage a private or independent institution of higher education to grant a tuition and fee exemption in exchange for a voucher. A voucher must be issued in the amount of \$25 for each time a student sounds "Taps". A voucher may be used by the student at any time and is not transferable. The commission is directed to design a form by rule for the vouchers and distribute the form to each funeral director in this state for issuance to a person who is eligible to receive a voucher. The commission may not charge a fee for distribution of the form.

Under new Section 54.215, Education Code, the governing board of each institution of higher education is required to provide a \$25 exemption from tuition and required fees to a student in exchange for a voucher issued to the student under Section 434.0072, Government Code, that is presented by the student to the institution.

Change from current law: With respect to excused absences under Section 25.087, a district could choose to excuse an absence for the purpose of sounding "Taps" at a veteran's funeral under current law, but the absent student would not be counted in average daily attendance. The new provision includes the student in average daily attendance as if the student actually attended school.

Effective Date: June 15, 2007

Action required for 2007-2008 School Year: No action required, however, if a local decision is made to excuse a student's absence for the purpose of sounding "Taps" at a veteran's funeral, the new provision applies to the absence.

Outstanding Issues: With respect to the voucher for higher education tuition and fees, the Veterans Commission must adopt rules and issue the voucher form.

Does this bill create a new program? Yes. The program is the responsibility of the Texas Veterans Commission.

Rulemaking Authority? Yes, Texas Veterans Commission.

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Adds Section 25.091(b), Education Code, and Section 52.01(e), Family Code.

Summary: Authorizes a peace officer or a law-enforcement officer who has probable cause to believe that a child is in violation of the compulsory school attendance law to take the child into custody for the purpose of returning the child's school campus.

Change from current law: Currently, a child may be taken into custody on this basis under Section 52.01, Family Code, but delivery to the child's school is not currently authorized under Section 52.02, Family Code. Delivery to school of a child taken into custody is also addressed by HB 776, which amends Sections 52.02(a) and 52.026(a) of the Family Code.

Effective Date: Sections 5 and 16 take effect September 1, 2007.

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? A person with authority to deliver a child to the child's campus under this legislation may deliver the child to an open-enrollment charter campus under the circumstances specified in the legislation.

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

SB 1161

Statute Amended or Added: Amends Section 25.0951(a), Education Code

Summary: Section 25.0951(a) currently provides that if a student fails to attend school without excuse on 10 or more days or parts of days within a six-month period in the same school year, a school district shall either file a complaint in an appropriate court or refer the student to juvenile court within seven school days of the student's last absence. SB 1161 increases the number of school days within which the district is required to take an action under Section 25.0951 from seven school days to 10 school days.

Change from current law: The period of time for a district to take action under Section 25.0951(a) is increased from seven to 10 school days.

Effective Date: June 15, 2007

Action required for 2007-2008 School Year: No new action required. However, districts are permitted three additional school days within which to pursue compulsory attendance enforcement under Section 25.0951(a).

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Amends Article 45.054, Code of Criminal Procedure, Section 58.0072, Family Code, and Section 25.0951, Education Code.

Summary: Article 45.054, Code of Criminal Procedure, governs orders entered by courts on a finding that an individual has committed an offense under Section 25.094, Education Code (Failure to Attend). This legislation amends that section to prohibit a court from entering an order under that section that requires a student to attend a juvenile justice alternative education program (JJAEP).

The legislation amends Section 58.0072, Family Code, to specify that the Texas Juvenile Probation Commission (TJPC) may share juvenile justice information with the Texas Education Agency for certain purposes as authorized by Section 37.084, Education Code. Section 37.084 authorizes the commissioner of education to share educational information with certain state agencies, including TJPC, for research and analytical purposes.

Section 25.0951(a), Education Code, which requires a school district to file a complaint or refer a student to juvenile court for failure to attend from for a compulsory attendance violation within a certain period is amended to replace “the date of the student’s last absence” with “the date of the student’s 10th absence.”

Change from current law: Currently, Article 45.054, Code of Criminal Procedure, does not expressly address attendance of a JJAEP. The current provisions relevant to JJAEP attendance are in Chapter 37, Education Code.

Section 58.0072, Family Code, already provides that TJPC may share juvenile justice information with TEA for certain purposes but does not cross-reference Section 37.084, Education Code.

Effective Date: September 1, 2007. Applies only to an order by a juvenile court rendered on or after September 1, 2007. An appeal of an order rendered before the effective date of this Act is governed by the law in effect at the time the order was rendered, and that law is continued in effect for that purpose. Applies to information and documents relating to juvenile court cases without regard to whether the conduct that is the basis of the case occurred before, on, or after September 1, 2007.

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? This legislation does not expressly apply to charters. However, the amendment to Article 45.054, Code of Criminal Procedure, applies to judicial orders entered in truancy proceedings involving Section 25.094, Education Code, which would include proceedings in which the defendant is a charter school student.

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

Statute Amended or Added: Adds Sections 25.151-25. 156, Education Code

Summary: Requires a school district to treat a student's voluntary expression of a religious viewpoint on an otherwise permissible subject in the same manner the district treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject. Requires a school district to adopt a policy that includes the establishment of a limited public forum for student speakers at all school events at which a student is to publicly speak. The policy must require the school district to:

- provide the forum in a manner that does not discriminate against a student's voluntary expression of a religious viewpoint on an otherwise permissible subject;
- provide a method, based on neutral criteria, for the selection of student speakers at school events and graduation ceremonies;
- ensure that a student speaker does not engage in obscene, vulgar, offensively lewd, or indecent speech; and
- state, in writing, orally, or both, that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the district.

Requires a school district to permit a student to express beliefs about religion in homework, artwork, and other written and oral assignments. Students may not be penalized or rewarded on account of the religious content of their work.

Provides that students may organize prayer groups, religious clubs, or religious gatherings before, during, and after school to the same extent that students are permitted to organize other noncurricular student activities and groups. Religious groups must be given the same access to school facilities for assembling as is given to other noncurricular groups. If student groups that meet for nonreligious activities are permitted to advertise or announce meetings of the groups, the school district may not discriminate against groups that meet for prayer or other religious speech. A school district may disclaim school sponsorship of noncurricular groups and events in a manner that neither favors nor disfavors groups that meet to engage in prayer or religious speech.

Provides a model policy that a district may adopt governing voluntary religious expression in public schools.

Change from current law: There is not a current state statute regarding religious expression in school. Currently, legal direction in this area comes primarily from judicial decisions regarding the applicable constitutional provisions.

Effective Date: June 8, 2007. Applies beginning with the 2007-2008 school year.

Action required for 2007-2008 School Year: If the district is going to have a student speaker at any school function or event, including graduation, the district must adopt the model policy provided in the legislation, which ensures compliance with the legislation, or draft its own policy that complies with the legislation and neither prevents or promotes student religious expression.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Adds Section 28.002(p), Education Code

Summary: Requires the SBOE, in conjunction with the office of the Attorney General, to develop a parenting and paternity awareness program that school districts shall use in high school health curriculum to address 1) parenting skills and responsibilities, including child support and other legal rights, 2) relationship skills, including money management, communication skills, and marriage preparation and 3) in district high schools that do not have a family violence prevention program, address skills relating to the prevention of family violence.

Change from current law: This adds a program to the high school health curriculum.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Initiate program development in conjunction with the Office of the Attorney General.

Outstanding Issues: The SBOE shall develop said program no later than May 1, 2008. A school district shall use the program developed by the State Board of Education beginning with the 2008-2009 school year.

Does this bill create a new program? Yes

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Sections 28.002 and 28.004, Education Code

Summary: School district will require a student in grades K-5 to participate in a moderate or vigorous daily physical activity for at least 30 minutes throughout the school year. A school district shall require students in grades 6-8 to participate in a moderate or vigorous daily physical activity for at least 30 minutes for at least 4 semesters. The local School Health Advisory Committee (SHAC) will make policy recommendations to the districts for daily recess. School districts will annually assess the physical fitness of students grades 3-12. The school districts will send the results of the assessment to the agency. The agency will analyze said results and report them to the Texas school health advisory committee. The agency will report to the legislature recommendations for providing moderate or vigorous physical activity outside of the school day.

Change from current law: Rulemaking authority is now the responsibility of the commissioner

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Yes

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

Statute Amended or Added: Adds Sections 28.0022, and amends Sections 28.009, 28.0212, 28.025, and 42.154, Education Code

Summary: Requires TEA to establish a panel to review and recommend revisions to the career and technical education (CTE) curriculum and review and recommend revisions for the advanced technical credit program. The panel shall consist of individuals who have expertise developing or administering CTE programs and employers who hire students who have obtained certification or credentials under a CTE program. The panel members must serve on a voluntary basis without compensation. The panel must complete the review of the CTE curriculum and the advanced technical credit program and make recommendations to the SBOE to increase the academic rigor of CTE curriculum and improve and increase participation in the advanced technical credit program. The SBOE by rule must revise the CTE TEKS based on the recommendations of the panel.

Section 2 of this bill relates to a school district offering the equivalent of at least 12 semester credit hours of college credit in high school. The college credit may be earned through International Baccalaureate, Advanced Placement or dual credit courses; articulated postsecondary courses provided for local credit; articulated postsecondary advanced technical credit courses provided for state credit; or any combination of these courses. Additionally, each school district must annually report to TEA the number of students, including CTE students, who have participated in the program and earned college credit and the cumulative number of courses in which participating district students have enrolled and college credit hours the student earned.

This section defines a "Career and Technical student" as a secondary education student who has entered the first course in a sequence of two or more technical courses for three or more credits in a CTE program or a student who is enrolled in an academic or workforce course that is part of a sequence of courses leading to an industry-recognized credential, certificate, or degree and has declared that sequence of courses as the student's major course of study. This section also defines a "sequence of courses" as CTE courses approved by the SBOE, innovative courses approved by the SBOE that are provided for local credit or a tech-prep program of study.

Section 3 encourages each school district to establish for each student entering grade 9 a personal graduation plan that identifies a course of study that promotes college and workforce readiness, career placement and advancement, and facilitates the student's transition from secondary to postsecondary education.

Section 4 amends the 4 x 4 graduation requirement by directing the SBOE to allow a student to satisfy the curriculum requirements for a fourth mathematics course (taken after the successful completion of Algebra II) or a fourth science course (taken after the successful completion of a physics course) by successfully completing an advanced CTE course designated by the SBOE as containing substantively similar and rigorous content. A student may use the option provided by this subsection for not more than two courses.

Section 5 requires the commissioner to develop and implement a pilot program which includes up to five school districts to receive state weighted funding of 1.35 for each student receiving CTE instruction in grade 8. In selecting school districts for participation, the commissioner shall consider school districts that can provide services under the program at least costs. Funds allocated under this subsection, other than an indirect cost allotment established under SBOE rule, must be used in providing CTE programs in grade 8.

Change from current law: Requires creation of a panel to review and recommend revisions of the CTE TEKS to the SBOE; changes the review of CTE TEKS to a time that is not in conjunction with the textbook adoption cycle. Defines how the 12 college credit may be earned; defines a secondary CTE student and a postsecondary CTE student. Encourages districts to establish 8th grade individual

graduation plans for grades 9-12 that promotes college and career readiness and postsecondary education. Requires the SBOE to allow students to count certain designated advanced CTE courses as a fourth mathematics or science credit for graduation after successfully completing Algebra II or Physics, for up to two courses. Establishes a pilot program whereby the commissioner shall select up to five school districts to receive the 1.35 CTE weighted funding allotment for students in grade 8.

Effective Date: September 1, 2007.

Action required for 2007-2008 School Year: Creation of panel for CTE TEKS revision, determination of the effect of the new CTE definitions to current policy, and creation of a pilot program.

Outstanding Issues: The revision of CTE TEKS earlier than SBOE TEKS and instructional materials cycle. The new CTE definitions must be reviewed to determine the effect on current policy and funding allocations. In addition, the status of SBOE-approved innovative courses eligible for state elective credit needs to be clarified. Local districts approve innovative courses for local credit.

Does this bill create a new program? No

Rulemaking Authority? Yes, State Board of Education

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? By January 1, 2013, TEA must report to each member of the legislature the effectiveness of the pilot program.

Statute Amended or Added: Adds Sections 28.0052, 28.0053, and 28.0054, Education Code

Summary: Requires the Commissioner to establish a Dual Language Education Pilot Project in districts selected by the Commissioner. The Agency will examine the dual language program and the effect of the pilot on graduation rate. The Commissioner will select a maximum of ten (10) districts, with a maximum of thirty (30) campuses, that will commit three years to either expand an existing dual language program in middle school or high school, where a third language would be added, or develop a new dual school program at kindergarten, where support of the parents, teachers and community is demonstrated.

The Commissioner will create distinct rules for the new and expanding dual language programs. For the new dual language programs, the first year will be restricted to planning activities including hiring and training teachers, establishing parental and community support, and acquiring instructional materials in both languages. For the expanded dual language programs, the first year planning restrictions do not apply. Districts/campuses may use funding for classroom materials

The Agency will report the effect of the project on grade level completion and high school graduation to the legislature and provide recommendations in an interim report on 2011, and a final report in 2013.

Establishes a community educational pipeline progress team (CEPPT) in each participating dual language pilot district or campus. Its main function is to develop and implement the dual language education pilot project. The members of the CEPPT are appointed by the board of trustees, and must include educators, administrators and parents of participating students. The CEPPT will develop an Academic Improvement Plan (AIP) the pilot that considers the educational challenges/issues of the district and/or campus and the technology resources needed to implement the pilot. The AIP, and any amendments, must be Agency approved. The board of trustees of each participating district will report the effect to Agency prior to August 1, of every year. on academic progress, student attendance, dropout rates, student enrollment in high school, teacher performance or retention, improvement of communication among students, parents, teachers and administrators, parental and community involvement, and student proficiency in technology, as compared to campuses or classrooms with non participating students at same district.

Requires the Commissioner to enter into a contract of license agreement with a software language learning vendor that uses language immersion to provide language learning opportunities for all students and district employees, including those not participating in the program. A maximum of one million participants could be served for up to three years. The Commissioner may not spend more than \$4 million+ per year to comply with this section. The district may not use the language learning software to supplant a bilingual education, English as a second language, or existing dual language education program.

Change from current law: Not Applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: No appropriation was made for this legislation.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, Commissioner and State Board of Education

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Participating districts and campuses, as well as Agency reports to legislature.

Statute Amended or Added: Adds §28.008(d-1)

Summary: Requires the SBOE to incorporate the college readiness standards and expectations created by the vertical teams authorized in 28.008 in the foundation subject areas for grades 9-12 beginning with SY 2008-2009.

Change from current law: Not applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: The college readiness standards and expectations are scheduled to be completed by the vertical teams, approved by the Commissioner, and presented to the SBOE by Spring 2008.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, State Board of Education

Does this apply to charters? No

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

Statute Amended or Added: Amends Sections 28.006(d), 29.161, 39.027, 39.182, Education Code. Adds Sections 29.066, 39.051(b-1); 42.006 (c), Education Code.

Summary: The bill requires that the superintendent of each school district report to the commissioner and the board of trustees of the district the results of the reading instruments authorized under 28.006 to diagnose student reading development and comprehension at kindergarten, first, and second grade. The district should use the school readiness certification system to report electronically each student's raw score on the reading instrument to the agency. The Agency is required to contract with the State Center for Early Childhood Development to receive, use, and report scores on behalf of the agency.

Additionally, the bill requires a school district that offers bilingual education or special language programs to report the type of bilingual or special language program the student is enrolled in. The Commissioner is required to adopt rules to classify bilingual and special language programs. Bilingual programs are to be classified as: (1) transitional bilingual/early exit, (2) transitional bilingual/late exit, (3) dual language immersion/two-way, or (4) dual language immersion/one way. Special language programs are to be classified as: (1) English as a second language/content-based, or (2) English as a second language/pull-out.

Additionally, the bill requires that the performance of limited English proficient students be included in AEIS performance reporting required in Section 39.053, and the comprehensive annual report, disaggregated by the type of bilingual or special language program. Indicators to be disaggregated in the performance report include: results of assessment instruments, dropout rates, graduation rates, percentage of students provided accelerated instruction, the numerical progress of students on subsequent assessments for students who fail the assessment, and measure of progress towards dual language proficiency. The comprehensive annual report adds a summary compilation of overall limited English proficient student assessment performance on TELPAS reading disaggregated by bilingual education or special language program.

Change from current law: Currently TEA collects participation in bilingual education or ESL as only a yes or no. The bill will expand the reporting to include instructional method when a student is participating in a bilingual or special language program.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Changes apply to the 2008-09 school year

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, commissioner rule required to classify bilingual and special language programs.

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? The bill requires the agency to amend the AEIS report, comprehensive annual report, and several reports within the PEIMS system. This bill requires districts to report the type of bilingual or special language program.

Statute Amended or Added: Adds Section 28.010 and amends Section 33.007, Education Code

Summary: Requires school districts to notify the parent(s) and/or guardian(s) of all students in grades 9 – 12 of the availability of programs under which they may earn college credit, including Advanced Placement programs, International Baccalaureate programs, dual credit programs, and joint high school and college credit programs. The notification may be provided on the district's Internet website and must include the name and contact information of any public or private entity offering such a program.

This information must also be included in the information currently required by §33.007(b).

Change from current law: New notification requirements.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Districts must include certain new information in notifications to parents.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Adds Sections 28.011 and 21.459, amends Section 28.002(a), Education Code

Summary: This legislation allows school districts to offer to students in grade nine or above elective courses on the Hebrew Scriptures (Old Testament) and the New Testament and their impact on the history and literature of western civilization. A teacher of a course offered under this section must hold a minimum of a High School Composite Certification in language arts, social studies, or history with, where practical, a minor in religion or biblical studies. Teachers must successfully complete Bible Course training before teaching the course. The Commissioner of Education, in consultation with appropriate faculty members at institutions of higher education, is required to develop and make available training materials and other teacher training resources for a school district to use in assisting teachers of elective Bible courses.

This legislation authorizes school districts to offer religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature as part of the required curriculum.

The SBOE must submit the proposed essential knowledge and skills to the attorney general for review to ensure that the course complies with the First Amendment to the U.S. Constitution. The SBOE may not adopt rules without the attorney general's approval.

Change from current law: This legislation adds religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature to the required curriculum.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: The provisions of the legislation pertaining to a school district do not take effect until the 2009-2010 school year. Local districts may continue to offer Bible courses under current provisions.

Does this bill create a new program? No

Rulemaking Authority? Yes, State Board of Education

Does this apply to charters? No

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

Statute Amended or Added: Adds Section 28.013, Education Code

Summary: Requires the State Board of Education to assist the Outdoor School at Texas Tech University Center at Junction, the T-STEM center of Texas Tech University, and the South Llano River State Park in developing a nature science curriculum for students in Grades 6-12. The Texas Tech T-STEM center is responsible for making the nature science curriculum available through the internet. The Texas Tech University Center at Junction, with assistance from the South Llano River State Park is required to provide staff development for classroom teachers and state park employees in the nature science curriculum.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: Type of assistance required of the SBOE toward developing this curriculum is unclear.

Does this bill create a new program? Yes

Rulemaking Authority? None

Does this apply to charters? No

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

Statute Amended or Added: Adds Section 28.014, Education Code

Summary: The Commissioners of Education and Higher Education Coordinating Board will develop and recommend to the SBOE for adoption the essential knowledge and skills for college preparatory courses in English language arts, mathematics, science, and social studies designed for 12th grade students who do not meet college readiness standards on the appropriate end-of-course examination(s). The student may fulfill applicable mathematics or science curriculum requirements for the recommended or advanced high school programs if the course is successfully completed. The SBOE, in consultation with the Texas Higher Education Coordinating Board, will also adopt instructional materials for each college preparatory course, but the commissioner will use the instructional materials developed by the vertical teams under TEC, §28.008 to the extent applicable. The agency will adopt end-of-course examinations for the courses which will count 15% of the students' grade and will also contain questions to measure college readiness.

Change from current law: New college preparatory courses, end-of-course examinations in four subject areas, and instructional materials are added.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: The SBOE must adopt TEKS by September 1, 2010. The courses must be available to school districts not later than school year 2014-2015.

Does this bill create a new program? Yes, new college preparatory courses and examinations.

Rulemaking Authority? Yes, State Board of Education

Does this apply to charters? Yes

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

HB 2237, Section 9

Statute Amended or Added: Amends Section 28.0211, Education Code

Summary: Provided that the rules do not conflict with federal law governing the use of these funds, this legislation permits the Commissioner to adopt rules requiring a school district that receives Title I funding to use that funding to provide supplemental educational services under 20 U.S.C Section 6316 in conjunction with the accelerated instruction provided under this section.

The legislation also adds teacher training to the considerations that the Commissioner must make regarding sufficient funds.

Change from current law: 28.0211(1-1) is new. The commissioner has always been required to certify that sufficient funds have been appropriated for administering the accelerated instruction programs identified in this chapter; however, now teacher training must be included in the calculation.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Yes

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

HB 2237, Section 10

Statute Amended or Added: Adds §28.0212(d) and (e), Education Code

Summary: The agency is given authority to establish minimum standards for the personal graduation plan, and districts are encouraged to use the graduation plan to promote college and career readiness and transition from secondary to postsecondary education

Change from current law: Existing 28.0212 did not give the agency the authority to issue minimum standards.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Agency must develop the minimum standards

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Adds Section 28.025(f), Education Code

Summary: Requires that students receiving special education services are issued a certificate of attendance and allowed to participate in the graduation ceremony after their fourth year of high school. This provision would allow students to participate in commencement ceremonies with their same age peers/class cohort. The bill limits students to one graduation ceremony. Please check the TEA Special Education web page for additional guidance at <http://www.tea.state.tx.us/special.ed/guidance/graduation.html> or contact the special education contact at your Regional Education Service Center (ESC) or the Division of IDEA Coordination at (512) 463-9414 or by email @ sped@tea.state.tx.us

Change from current law: Adds requirements as stated above. Previously, the statute did not address allowing students receiving special education services to participate in graduation ceremonies after their fourth year of high school.

Effective Date: Immediate effect, May 8, 2007.

Action required for 2007-2008 School Year: Schools identify any student with a disability who has completed four years of high school, but has not yet completed the requirements of their IEP related to graduation. The school:

- contacts parents and/or adult student to offer the opportunity to participate in the graduation ceremony with the students they entered high school four years earlier.
- informs the parents and/or adult student that the student will receive a certificate of attendance and not a diploma.
- informs the parents and/or adult student that the student may only participate in one graduation ceremony under SB 673.
- informs the parents and/or adult student that when the student does graduate in the future, they will receive a diploma, but will not participate in another graduation ceremony unless school district policies/procedures allow for participation in a second ceremony.

If parents and/or adult student choose to participate in the graduation ceremony, the district will make all necessary arrangements with the parents and/or adult student consistent with other students to ensure the student is allowed to participate.

Outstanding Issues: It will be necessary to develop additional guidance regarding this requirement due to numerous questions raised by school districts regarding implementation.

Does this bill create a new program? No

Rulemaking Authority? No. No specific rule-making is mentioned in the bill; however, the commissioner/agency has general rule-making authority related to services for students with disabilities, so it is possible that rules might be developed to implement this new provision

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Sections 28.0252 (b), 51.807, 51.4032 and 51.808, Education Code

Summary: Gives authority to the Texas Higher Education Coordinating Board (THECB) for computing students' high school grade point averages (GPA's) in a certain manner for admissions to institutions of higher education.

Requires all general academic teaching institutions and health-related institutions to report to the THECB information regarding the composition of the institution's entering class, including a breakdown of high school GPA standing. The report must be published on each institution's website. Institutions must also report any plans, programs or policies developed to recruit and retain underrepresented student populations.

The law also requires each general academic teaching institution to adopt policies to encourage community college transfers. The policy must include outreach, recruitment strategies and may include incentives to retain and promote transfer students.

Change from current law: Currently the commissioner of education may opt to develop a standard method of computing students' GPA. If that method is established, districts are required to use it. The new law, however, requires that the method established by the THECB be used by ISDs in determining the top ten percent, and the optional top 25 percent, of the graduating class for the purpose of automatic admission eligibility.

Effective Date: Applies to first-time freshmen entering general academic teaching institutions beginning with the 2009 fall semester.

Action required for 2007-2008 School Year: The THECB will need to adopt rules for computing students' GPAs. In addition, general academic teaching institutions will need to adopt written admission policies to promote the admission of undergraduate transfer students to the institution.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, Texas Higher Education Coordinating Board

Does this apply to charters? Students graduating from charter schools will be subject to higher education admissions requirements under this section.

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

Statute Amended or Added: Adds Section 28.0254, Education Code

Summary: Requires a school district to issue a high school diploma posthumously to each student who died while enrolled in the district at grade level 12 on request of the student's parent, provided that the student was academically on track at the time of death to receive a diploma at the end of the school year in which the student died, including any summer session following the spring semester. However, a school district is not required to issue a high school diploma to the student if the student at any time before the student's death was convicted of a felony offense under Title 5 or 6, Penal Code, or adjudicated as having engaged in conduct constituting a felony offense under Title 5 or 6, Penal Code.

Change from current law: State law does not currently provide for the posthumous award of a diploma.

Effective Date: June 15, 2007. Applies beginning with students enrolled at grade level 12 during the 2005-2006 school year.

Action required for 2007-2008 School Year: Award diplomas posthumously as required by new Section 28.0254 if applicable.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Amends Section 29.094, Education Code

Summary: Requires the Commissioner of Education to establish a pilot program in which a participating campus provides intensive reading or language intervention to participating students. The minimum criteria that a program must meet to be selected by a participating campus must include neuroscience-based, scientifically validated methods, scientifically based reading interventions, or instructional tools that have been proven to accelerate language acquisition and reading proficiency for struggling readers.

Change from current law: Current law allows the commissioner to establish a pilot program; this legislation requires implementation of the pilot.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: The agency will be required to establish the pilot program for implementation in the 2007-2008 school year.

Outstanding Issues: No appropriation was made for this provision.

Does this bill create a new program? No

Rulemaking Authority? Yes, Commissioner is required to adopt rules to establish the pilot program. Rules must be in place for implementation of the pilot program during the 2007-2008 and 2008-2009 school years.

Does this apply to charters? Charter schools would be allowed to participate in the pilot program.

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

Statute Amended or Added: Adds Section 29.095, Education Code

Summary: Establishes an intensive mathematics and algebra intervention pilot program in which participating district will provide intensive mathematics intervention for students who are not performing at grade level in mathematics in grades four through seven and algebra readiness intervention for students who are not performing at grade level in mathematics in grade eight. The Commissioner is required to adopt a list of mathematics and algebra intervention programs and the minimum criteria that a program must meet to be included on the list. The Commissioner is also required to contract for the evaluation of the effectiveness of the intervention program.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: Not applicable

Outstanding Issues: No appropriation was made for this provision.

Does this bill create a new program? Yes

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Charters would be allowed to participate in the pilot.

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

Statute Amended or Added: Adds Section 29.095 and 29.096, Education Code

Summary: Creates a pilot program which will provide grants to school districts to fund student club activities for students at risk of dropping out of school. The commissioner shall establish application criteria and administer the micro grant program; the school district must seek matching funds from local businesses or community groups; the school district board of trustees must approve the student club plan and ensure funds are properly used and receive a report from the student club summarizing the club's activities. It also establishes a pilot program to implement a local collaborative dropout reduction grant program.

Change from current law: Not applicable

Effective Date: June 15, 2007

Action required for 2007-2008 School Year: Establish criteria for grant and pilot program.

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? Yes, commissioner

Does this apply to charters? Section 29.095 does not apply to charters and Section 29.096 does apply to charters.

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

HB 2237, Section 11

Statute Amended or Added: Adds Section 29.097, Education Code

Summary: Requires the commissioner to establish a pilot program under which state grant funds are provided to participating campuses to provide intensive technology-based supplementary instruction in English, mathematics, science, or social studies to students in grades nine through twelve identified as being at risk of dropping out of school.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: Create guidelines and implement a new program as described below.

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? No

Does this apply to charters? Yes. TEC 12.106(b) states that open-enrollment charter schools are entitled to funds that are available to school districts from the agency in the form of grants.

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

Statute Amended or Added: Adds Section 29.098, Education Code

Summary: Requires the commissioners of education and higher education to establish by rule a pilot program to award grants to participating campuses to provide intensive academic instruction during the summer to students identified as being at risk of dropping out of school or college. Grant awards may be used to fund any the following types of programs: (1) programs administered by an institution of higher education (IHE) to provide intensive academic instruction in English language arts, mathematics, and science to facilitate the student’s transition from high school to a postsecondary institution, (2) a program administered by a school district in partnership with an institution of higher education to provide intensive academic instruction in English language arts, mathematics, and science to promote high school completion and college readiness and (3) a program administered by a school district in partnership with an institution of higher education to provide intensive academic instruction in grades six through eight to promote high school completion and college readiness.

The section establishes the criteria for student eligibility for the programs and the requirements for the programs, including the requirement that an IHE that implements a program under this section must create work-study opportunities for students enrolled in teacher preparation programs. The SBOE and the THECB may adopt additional instructional materials as necessary for these programs and shall include information technology instructional resources among adopted materials.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: Program guidelines and a Request for Applications must be developed.

Outstanding Issues: A Memorandum of Understanding must be developed between the Texas Education Agency and the Texas Higher Education Coordinating Board.

Does this bill create a new program? Yes

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Yes. TEC 12.106(b) states that open-enrollment charter schools are entitled to funds that are available to school districts from the agency in the form of grants.

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

Statute Amended or Added: Transfers Section 29.124 to Subchapter C, Chapter 61 and re-designates it as Section 61.07621, Education Code

Summary: Transfers all responsibility for the Texas Governor's School (TGS) program to the Texas Higher Education Coordinating Board (THECB), adds fine arts as a TGS subject area, adds GPA, academic standing, and extracurricular activities to the criteria for selecting students for the TGS program, and transfers all commissioner's rules and funds relating to the TGS to the THECB.

Change from current law: Currently all responsibility for the TGS program lies at the Texas Education Agency. However, the agency contracted with the THECB to manage the program, so essentially no significant change is created.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Delete newly adopted TAC §102.1101

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, Texas Higher Education Coordinating Board

Does this apply to charters? No

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

SB 758, Section 1

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

Summary: Adds a category of eligibility for prekindergarten. Under the amendment, a child is eligible if the child is or ever has been in the conservatorship of the Department of Family and Protective Services following an adversary hearing under Section 262.201, Family Code.

Change from current law: Current law provides five bases of eligibility for prekindergarten. The new law provides a sixth basis, which is being or having ever been in the conservatorship of the Department of Family and Protective Services following an adversary hearing under Section 262.201, Family Code.

Effective Date: September 1, 2007. (Same change is made in HB 1137, which became effective on June 15, 2007 and applies beginning with the 2007-2008 school year.)

Action required for 2007-2008 School Year: Update applicable prekindergarten policies and enrollment forms.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes, because Section 29.153 is part of Subchapter E, Chapter 29, which is expressly applicable to charters under Section 12.104(b)(2)(H) of the Education Code.

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

Statute Amended or Added: Adds Section 29.190 and amends Section 56.203, Education Code

Summary: Provides a CTE student with the opportunity to apply for a subsidy for a certification examination fee provided the student successfully completes a career and technical education program (CTE), passes an industry certification examination, and demonstrates financial need. Guidelines are to be developed for determining financial need consistent with the College Board and Education Testing Service.

TEA is to pay each eligible student an amount equal to the cost paid by the student for the certification examination. To obtain a subsidy, the student must: pay the fee for the examination and submit to TEA a written application on a TEA form demonstrating financial need and the amount of the fee paid by the student for the certification exam. No appropriation was made for this provision.

The commissioner may adopt rules as necessary to implement this section.

This bill specifies the eligibility for the Early High School Graduation Scholarship program. To be eligible, students must have graduated from a public high school in this state in not more than 46 consecutive months with at least 30 hours of college credit, have attended one or more public high schools in this state for the majority of time the person attended high school, and be a citizen of the United States or otherwise lawfully authorized to be present in the United States. The THECB must adopt rules for determining whether a person attended public high school in this state as required by subsection (a)(2) and is eligible for an award under this program.

Change from current law: Provides economically disadvantaged CTE students with the opportunity for reimbursement for a certification exam fee after successfully passing the exam. Changes the eligibility requirements for the Early High School Graduation Scholarship to require a person to have graduated from a public high school in this state, require the student to have attended public high school(s) for the majority of the time the person attended high school, and be a citizen of the US or otherwise lawfully authorized to be present in the US.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Rules and policy needs to be adopted for the reimbursement of CTE students who are economically disadvantaged for the cost of an industry certification examination.

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? Yes, commissioner and Texas Higher Education Coordinating Board

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 29.907(a), Education Code

Summary: Changes the date of Celebrate Freedom Week from the week in which November 11 falls to the week in which September 17 falls.

Change from current law: Changes the date of Celebrate Freedom Week.

Effective Date: Immediate effect. Applies beginning with the 2007-2008 school year.

Action required for 2007-2008 School Year: School districts will be required to conduct Celebrate Freedom Week in September.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Adds Section 29.911, Education Code

Summary: Requires each school district and each open-enrollment charter school offering grades at the middle school, junior high, and high school level to designate one week per school year as "Education: Go Get It" Week. The purpose of this week is to educate students about the importance of higher education. At least one public speaker must be provided during the designated week to speak to students about the importance of pursuing a higher education. In addition, schools must provide comprehensive, grade-appropriate information regarding available higher education options; standard admissions requirements and information on the Top Ten Percent Program; curriculum, GPA and test requirements; and financial aid.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: School districts will be required to implement new requirements at all middle schools, junior high schools, and high schools.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes, this applies to open-enrollment charters offering any middle, junior high and or high school grade levels.

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

Statute Amended or Added: Adds Section 29.916, Education Code

Summary: Requires a school district to permit a home-schooled student entitled under Section 25.001 to attend public school in the district to participate in an administration of the PSAT/NMSQT or a college advanced placement test offered by the district. A school district shall require a home-schooled student to pay the same fee to participate in a test under this subsection that a student enrolled in the district is required to pay.

Under the new section, a school district is required to post on an Internet website maintained by the district the date the PSAT/NMSQT will be administered and the date any college advanced placement tests will be administered. The notice must state that the PSAT/NMSQT or the advanced placement test is available for home-schooled students eligible to attend school in the district and describe the procedures for a home-schooled student to register for the test. A school district that does not maintain an Internet website must publish the information in a newspaper in the district. If a newspaper is not published in the school district, the district shall provide for the publication of notice in at least one newspaper in the county in which the district's central administrative office is located. The information must be posted or published at the same time and with the same frequency with which the information is provided to a student who attends a district school.

Change from current law: Under current law, school districts are not required to provide testing services to home-school students.

Effective Date: June 15, 2007. Applies beginning with the 2007-08 school year.

Action required for 2007-2008 School Year: A school district must post the required information on its website or, if it does not have a website, it must publish the required information in an appropriate newspaper. A school district must provide the required testing accommodations to a home-school student who is eligible to attend school in the district.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? The commissioner may adopt rules as necessary to implement Section 29.916.

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Adds Section 29.917, Education Code

Summary: Establishes a program to allow the commissioner of education to award grants to organizations that provide volunteers to teach classroom or after-school programs to enhance college awareness, workforce readiness, dropout prevention, or personal financial literacy. The commissioner may conduct a study to evaluate the success of the program in preparing students for higher education and participation in the workforce.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Yes

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

Statute Amended or Added: Adds Section 29.918, Education Code

Summary: Requires districts and charter schools with high dropout rates to submit a plan no later than December 1 of each school year that identifies how the district or charter school will use a portion of its state compensatory education allotment and the high school allotment for developing and implementing research-based strategies for dropout prevention. Subsection (b) would ensure that a school district or charter school may not spend or obligate more than 25 percent of the district's or charter school's compensatory education allotment unless the commissioner approves the submitted plan.

Change from current law: Requires districts and charter schools with high dropout rates to develop and submit a plan for dropout prevention and reduction. The section would restrict the use of compensatory education and high school allotment funds until such time as the commissioner approves the plan.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: Commissioner's rules must be developed and adopted to administer this section. Affected school districts and charter schools must develop and submit plans to the commissioner no later than December 1, 2007.

Outstanding Issues: Commissioner's rules must be developed and adopted to implement this requirement. Procedures for placing compensatory allotment and high school allotment funds on hold pending receipt and approval of district plans must be developed.

Does this bill create a new program? No

Rulemaking Authority? Yes, commissioner

Does this apply to charters? Yes.

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

Statute Amended or Added: Adds §29.919

Summary: Establishes a pilot program for a state grant program to finance technology-based supplemental instruction to students at the sixth through 12th grade levels at participating campuses.

A campus is eligible to participate in the program if the campus is located in a school district that has an enrollment of fewer than 5,000 students; and is not located in an area defined by the U.S. Office of Management and Budget as a Standard Metropolitan Statistical Area as of January 2007. The bill requires the commissioner to develop and application and selection process for selecting campuses to participate. The commissioner shall give priority to a campus that offers a relatively limited course selection to students, in comparison to the course selections generally offered to students in metropolitan areas.

Campuses selected to participate in the pilot are entitled to receive state grant funds in an amount not to exceed \$200 each school year for each student in an eligible grade level served through the program. The grant funds must be used to provide technology-based supplemental instruction for eligible students. Permissible expenditures under the program include costs incurred to provide: research-based instructional support; teacher training; academic tutoring or counseling; distance learning opportunities that use the Internet and are aligned with the essential knowledge and skills adopted under Section 28.002 for the subject areas of English language arts; social studies; mathematics, science, and languages other than English, as applicable; and distance learning opportunities that enable students to earn college credit in the subject areas of English language arts; social studies; mathematics, science, and languages other than English.

As a condition of receiving grant funds, a campus must contribute additional funding for activities provided at the campus through the program, in an amount equal to at least \$100 each school year for each student in an eligible grade level served through the program. The additional funding required may consist of local funds, private funds or state funds other than grant funds provided under this program. For program activities provided at the high school level, the high school allotment may be used to meet the additional funding requirement. A campus participating in the program must provide students with individual access to technology-based supplemental instruction for at least 10 hours each week.

The commissioner shall pay the costs of the program using funds available for that purpose, not to exceed \$4 million each fiscal year or a greater amount specified by the General Appropriations Act. Using funds available for the program in an amount not to exceed \$150,000 each fiscal year, the commissioner shall contract for an evaluation of the program's effectiveness in improving student performance. Not later than December 1, 2008, the commissioner shall develop an interim report on the results of the evaluation. Not later than December 1, 2010, the commissioner shall deliver a final report regarding the pilot program to the legislature.

The pilot program expires September 1, 2011.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: Adopt rules to implement this program. Develop an application and selection process for discretionary grants to eligible schools.

Outstanding Issues: The latest SMSA data from OMB is from May 2006 (Corrected).

Does this bill create a new program? Yes

Rulemaking Authority? Yes, commissioner

Does this apply to charters? Yes, if they meet all program requirements.

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

Statute Amended or Added: Adds Chapter 30A, Sections 30A.001-005, 30A.051-056, 30A.101-104, 30A.1041, 30A.105-115, 30A.151-155, and Section 26.0031, Education Code

Summary: Establishes a state virtual school network to provide education to students through electronic courses delivered via the Internet. It sets forth the operational, administrative, and funding requirements of the network. The bill defines provider school districts and their role within the network, and outlines the way in which provider school districts or schools can submit courses for evaluation, approval, and delivery through the network. The commissioner is to determine a fee for the reasonable cost to evaluate and approve courses, establish an agency employee or group of employees as the administering authority for the network, and contract with a regional education service center to operate the network. The administering authority will develop a standard contract for agreements that govern payment of funds and other matters relating to a student's enrollment in electronic courses offered through the network. Teachers of electronic courses offered by a district or open-enrollment charter school through the network must be certified under Subchapter B, Chapter 21 and are required to successfully complete the appropriate professional development course authorized by the network before teaching an electronic course offered through network. The network may provide or authorize electronic professional development courses for teachers in specified circumstances. Provisions are made for provider districts to offer the classroom portion of a driver education and traffic safety course, compliant with Sec 29.902, through the network.

Change from current law: Not applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: SBOE: The bill calls for the SBOE to establish objective standard criteria for electronic courses offered through the network to ensure alignment with the Texas Essential Knowledge and Skills (TEKS). (This has already been established in Texas Administrative Code (TAC), Chapter 74.23.)

Agency: Publish criteria required for electronic courses offered through the network six months prior to course evaluation and approval process; establish fee for submission of courses for review; conduct evaluation and approval of courses not later than August 1, 2008; create and make publicly available a list of approved courses, including a detailed description of each course; establish cost of courses provided through the network; establish schedule for the annual submission process. Develop the standard contract for agreements; create a system of indicators for comparison of different provider district's courses and recommend alternative funding models for the network for the December 1, 2008 report; prepare the first annual fiscal report by January 31, 2008; designate the administering authority; contract with a regional service center to operate the network; authorize or provide professional development for teachers teaching online courses offered through the network. Establish rules for: attendance in electronic courses, allocation of funds for students taking electronic courses, funding for accelerated students, regional service center participation as provider district, an informed choice report, and criteria for professional development courses.

Schools: Submit courses for review and approval; have teachers who will be teaching courses offered through the network complete the required professional development; provide services (e.g. counseling and registration) to students planning to participate in courses offered through the network.

Outstanding Issues: Timeline for establishing criteria, reviewing courses, publishing the list of approved courses and providing teacher professional development before teachers teach over the network in time to begin operations for the 2008-2009 school year is exceptionally tight. For the 2008 school year, the network shall provide electronic courses for grades nine through twelve; 2009-2010 school year, the network shall increase to provide electronic courses for grades six through eight, in


addition to grades nine through twelve; and for the 2010-2011 and subsequent school years, shall increase to provide electronic courses for all grades.

Does this bill create a new program? Yes

Rulemaking Authority? Yes, Commissioner and State Board of Education

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. A report for each fiscal year documenting the activities of the state virtual school network is due by January 31 to the governor, lieutenant governor, and the speaker of the House of Representatives. The first report is due January 31, 2008. A one-time report is due not later than December 1, 2008 to each member of the legislature recommending alternative funding models for the state virtual school network, and a system of indicators that would allow for comparison of the quality of different provider school districts' and schools' electronic courses.



Statute Amended or Added: Adds Sections 31.0221, 31.0222, 31.035 and 31.1011 and amends Sections 31.022 and 31.023, Education Code

Summary: Repeals the moratorium on textbook proclamations, retains the current review and adoption process, and maintains the conforming and non-conforming lists of adopted instructional materials. It authorizes the SBOE to adopt textbooks during mid-cycle and adopt supplemental textbooks; requires proclamations to be designated by the school year in which the textbooks are intended to be made available; and requires TEKS coverage in the student edition as well as the teacher edition. It requires the SBOE to consult with the Legislative Budget Board and the governor's office to consider cost factors and to limit the cycle to those textbooks that can be purchased with available funds before releasing a proclamation; expands the textbook credit program statewide and allows school districts to use textbook credits to order supplemental materials adopted by SBOE. It allows school districts the flexibility to group supplemental materials together to use in place of the regular textbook if the combination of supplemental materials contains the entire essential knowledge and skills required for all students and is within the maximum cost of the regular textbook or if the school district makes up the cost difference with textbook credits; and also allows the state to appropriate additional funds for credits.

Change from current law: Adds a mid-cycle review, adoption of supplemental materials, expansion of textbook credits statewide and requires a budget-balanced review and adoption cycle.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: The SBOE must establish a review and adoption cycle, resume proclamations, and establish rules, publisher fees and processes for a mid-cycle review. This requires changes to 19 TAC Chapter 66 that must be in place in order to issue proclamations. The agency will need to provide information and guidance to school districts and textbook publishers regarding these changes and establish new policies and procedures.

Outstanding Issues: Development of an off-cycle review process. Additional space will be required at the agency and in ESCs to handle the influx of additional materials. Sufficient state review panel members for regular and off-cycle reviews will be an ongoing challenge.

Does this bill create a new program? Yes

Rulemaking Authority? Yes, State Board of Education

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes, school districts that requisition supplemental textbooks must certify to the agency that the supplemental textbooks, in combination with any other textbooks or supplemental textbooks used by the district or school, cover the TEKS for the subject and grade level for which they are requisitioning the supplemental textbooks.

Statute Amended or Added: Amends Sections 21.0483(c) and 32.005(c), Education Code. Repeals Section 441.1385, and amends Sections 487.054(a), 487.651-653, 531.02172(b), 654.011(a), 2054.201(a); Government Code. Repeals Chapter 57, Subchapter C, and amends Sections 58.252(2), 58.253(a), 59.071(2), Utilities Code.

Summary: Discontinues the Telecommunication Infrastructure Fund. The bill also eliminates references to the Telecommunications Infrastructure Fund executive director, presiding officer and the Telecommunications Infrastructure Fund Board in the Education, Government, and Utilities codes.

TEC Section 21.0483 eliminates references to TEA developing the Master Technology Teacher examination developed in cooperation with the Telecommunications Infrastructure Fund Board.

TEC Section 32.005 deletes references to paying the Technology Allotment from the Telecommunications Infrastructure Fund.

Change from current law: The bill essentially eliminates the collection of the fee paid by consumers on telecommunications and wireless bills.

Effective Date: September 1, 2008

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Not applicable

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

Statute Amended or Added: Amends Section 33.081, Education Code

Summary: Defines and restricts the courses that are exempt from the passing grade requirement for students to be eligible to participate in extra-curricular activities. The courses that are exempt include all Advanced Placement, International Baccalaureate, honors, and dual credit courses in the subjects of English language arts, mathematics, science, social studies, economics, and languages other than English. These requirements are in effect beginning with the 2007-2008 school year.

The legislation also requires the agency to conduct a biennial review (before January 1 of each odd-numbered year) to determine if other courses should be added to this list and to report the findings of this review to the legislature.

Change from current law: Restricts and defines the honors or advanced class exemptions regarding extracurricular activities.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: Definition of "Honors courses."

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Adds Section 33.087, Education Code

Summary: A student otherwise eligible for participation in extracurricular activities, including UIL activities, cannot become ineligible purely because of dual credit or concurrent enrollment participation, regardless of the location of the dual credit or concurrent enrollment classes.

Change from current law: Not Applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 33.091, Education Code

Summary: Requires the random testing for anabolic steroids in students participating in high school athletics. It also requires parental notification of the random testing and requires an athletic coach at or above the seventh grade level of an extracurricular athletic activity sponsored or sanctioned by the league to complete an educational program developed by the league [or a comparable program developed by the district or private entity with relevant expertise]. Requires UIL to adopt any and all procedural rules relating to administering the required random testing and confirmations of positive test results. Requires UIL to submit a report to the legislature of its findings and recommendations for future funding of the program.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? Testing program to be implemented by UIL

Rulemaking Authority? Yes, University Interscholastic League

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Sections 33.154, 33.155 and 42.152, adds Section 33.159, and repeals Sections 33.151(1), 33.153, and 33.155(b), Education Code.

Summary: Repeals language requiring the commissioner of education to designate a state director. The duties originally required of the state director become the responsibility of the commissioner. The bill codifies provisions concerning program performance goals, objectives, and measure and would provide the commissioner authority to withhold funding from programs that consistently fail to achieve performance criteria. In addition, the commissioner is also granted the authority to adopt policy and rules concerning certain responsibilities of the agency for implementing the Communities In Schools program as well as the use of federal and state funds; the commissioner is required to adopt policies and rules to detail the agency's responsibility for encouraging local businesses to participate in local Communities In Schools and for obtaining information from school districts. The bill prohibits the agency from contracting with a private entity to perform CIS functions for which the agency is responsible. This bill requires that a certain amount of funding from the Compensatory Education Allotment be withheld each fiscal year for the Communities In Schools program and be distributed under Section 33.156 (Funding; Expansion of Participation).

Change from current law: HB 1609 puts into statute specific performance goals, objectives and measures that consider improvement in student: behavior, academic achievement, promotion, graduation, retention and dropout rates. The law requires that local CIS programs which consistently fail to meet state established performance criteria will be subject to suspension of state funding. The current statute requires that the commissioner appoint a state director to set standards and implement the program statewide; HB 1609 transfers that authority to the commissioner.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: No

Does this bill create a new program? No

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? No

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

Statute Amended or Added: Adds 33.201-33.211, Education Code

Summary: Requires the development of, and identifies those who must comply with an extra curricular safety training program as well as requiring yearly safety drills. Provides for certain requirements for participation in certain extracurricular athletic events including but not limited to hydration, heat stroke prevention and continuation of participation after injury. Additionally requires the use of a UIL physical evaluation of medial history as a condition for participation in extra curricular athletic activities.

Change from current law: Not applicable

Effective Date: Immediate effect, applies in the 2008-09 school year.

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? Yes, requires the commissioner to maintain existing phone number and email address for persons to file a complaint regarding adherence to safety regulations for extracurricular activities

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Sections 34.001 and 34.006, Education Code.

Summary: This bill transfers procurement duties of the Texas Building and Procurement Commission to the comptroller and renames the commission the Texas Facilities Commission. Conforming changes are made to the Education Code related to the procurement of buses.

Change from current law: The amendment to Section 34.001 makes a conforming change to authorize school districts to procure buses through the comptroller. New provisions are added to require the comptroller to conduct a public hearing on proposed rules regardless of whether the requirements of Section 2001.029(b), Government Code, that require a public hearing are met. The amendment to Section 34.006 makes conforming amendments related to the authority of school districts to request that the comptroller dispose of school buses.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Districts may go through the comptroller, rather than the Texas Building and Procurement Commission, to purchase and dispose of buses.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Section 34.007, Education Code.

Summary: The bill requires districts to allow parents to designate a child-care facility or a grandparent's residence as the place where the student will obtain transportation to and from school, beginning with the 2007-2008 school. The bill also added a requirement that the designated drop off also be at an approved stop on the approved route.

Change from current law: Currently, school districts may allow parents to designate a child care facility or a grandparent's residence as the designated bus stop for transportation of a student, as long as the location is on an approved route.

Effective Date: Effective June 15, 2007; applies first beginning in the 2007-08 school year.

Action required for 2007-2008 School Year: School districts must permit parents to designate these locations for the pick up and drop off of students.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Sections 34.007(a); 34.008(a); and 44.031(b); Adds Section 44.0331, Education Code

Summary: Allows districts to operate a transportation system outside the county or district if the school district enters into an interlocal contract in accordance with Government Code Chapter 791. Section 34.008 allows districts to include a juvenile board as a vendor the school districts can contract with to provide public school transportation if they meet the necessary requirements in law.

Section 44.031(b) will require the districts to consider the eight criteria listed in this section when determining which vendor is providing the best value to the school district.

Section 44.0331 states the district shall document any contract-related fee, including any management fee and the purpose of each fee under the contract. The district must present annually in an open meeting of the board of trustees a report of the amount, purpose and disposition of any fees paid. The written report must appear as an agenda item and the commissioner may audit this written report.

Change from current law: Section 34.007(a) will allow districts to operate a transportation system outside the county or district. Section 34.008 allows districts to include a juvenile board as a vendor for school transportation.

Section 44.031(b) is amended by changing the may to shall which will require the districts to consider the eight criteria listed in determining which vendor is providing the best value to the school district.

Section 44.0331 NEW

Effective Date: Immediately. Sections 44.031(b) and Section 44.0331 applies only to a contract entered into on or after the effective date.

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes, Section 34.008 applies to charters.

Does this bill contain a new reporting requirement for TEA/school districts? Yes, a written report submitted annually to the district board of trustees showing the amount, purpose, and disposition of any fees paid in connection with a purchase contract entered into through an Interlocal agreement or a purchasing cooperative.

Statute Amended or Added: Adds Sections 34.012, 34.013, 34.014, and 34.015, Education Code. Amends Section 547.701, Transportation Code.

Summary: Amends the heading to Section 547.701, Transportation Code, to include a reference to other buses used to transport school children and adds Subsection (e) to require that all school buses and all school activity buses purchased on or after September 1, 2010, be equipped with three-point seat belts for each passenger. All buses chartered buses contracted for use by a school district for the purpose of transporting schoolchildren have to be equipped with three-point seat belts on or after September 1, 2011.

New Section 34.012 requires that the State Board of Education (SBOE) develop and make available to school districts a program of instruction on the proper use of seatbelts. The SBOE would be required to serve as a clearinghouse of best practices for school districts that seek the most efficient and sensible information regarding school bus safety, including compliance with Section 547.701, Transportation Code, using buses that were originally purchased without seat belts.

New Section 34.013 requires school districts to require students to wear a seatbelt when riding a school bus if the school bus has been equipped with seatbelts for all passengers. Districts would be permitted to implement a disciplinary policy to enforce the use of seat belts by students.

New Section 34.014 provides that school boards of trustees could accept offers to donate money or seatbelts for the school district's school buses. The school board would be required to consider any offer made, but could chose to accept or decline the offer. If the district chooses to accept the offer, the school board may acknowledge the person who made the donation by placing a small, discreet sign on the side or back of the bus recognizing the donor. The sign may not serve as an advertisement for the person who made the donation.

New Section 34.015 requires that school districts report accidents involving school buses to the Texas Education Agency (TEA) on an annual basis. For these purposes, "bus" means a bus operated by or contracted for use by a school district to transport schoolchildren. TEA is required to adopt rules prescribing the information to be reported, which must include the type of bus involved in the accident; whether the bus was equipped with seat belts; the number of students and adults involved in the accident; the number and types of injuries sustained by the bus passengers; and whether the injured passengers were wearing seat belts at the time of the accident. TEA is required to publish these reports on its Internet website.

The bill would also authorize school districts to adapt any or all of its existing bus fleet with three-point seatbelts prior to the requirements set forth in Section 1 of the bill on its own initiative. This bill provides that the changes made by Section 2 of the bill do not take effect unless the legislature appropriates money specifically for the purpose of reimbursing districts for expenses incurred with complying with that section.

Change from current law: The bill creates a new requirement for school buses and buses contracted by school districts to be equipped with seatbelts. The bill requires that school boards of trustees to consider offers of donations of money or seatbelts, but does not require them to accept such offers. Districts will also be required to report bus accidents to TEA.

Effective Date: The requirement to equip new buses with seatbelts becomes effective September 1, 2010. The requirement that contracted buses be equipped with seatbelts becomes effective September 1, 2011. These requirements are contingent upon the legislature appropriating money specifically for these purposes. No funds were appropriated for this action.

The requirements for school board trustees to consider offers of donations and for school districts to report bus accidents to TEA become effective September 1, 2007.

Action required for 2007-2008 School Year: School boards will have to consider offers of donation of money or seatbelts for the purpose of equipping their school buses with seatbelts. School districts will begin reporting bus accidents to TEA.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes, school districts will need to report their bus accidents to TEA.



Statute Amended or Added: Adds Section 37.0062, Education Code

Summary: Requires the Commissioner of Education by rule to determine the instructional requirements for education services provided by a school district or open-enrollment charter school in a pre-adjudication secure detention facility or a post-adjudication secure correctional facility operated by a juvenile board or a post-adjudication secure correctional facility operated under contract with the Texas Youth Commission (TYC). The instructional requirements for education services rules must include the length of the school day, number of days of instruction provided to students each school year, and the curriculum of the education program and courses. The course of instruction in a pre-adjudication facility must enable the student to maintain progress toward completing high school graduation requirements and the course of instruction in a post-adjudication facility must enable the student to complete high school graduation requirements. The Commissioner must coordinate the determination of the instructional requirements for education services with the Texas Juvenile Probation Commission (TJPC) and TYC. TJPC and TYC must coordinate with the commissioner in establishing standards for ensuring security in the provision of education services in the facilities and providing children in the custody of the facilities access to education services.

Change from Current Law: Not applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: As soon as practicable after the effective date of this Act (September 1, 2007), the commissioner of education by rule shall determine the instructional requirements for education services provided in a juvenile residential facility.

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 37.008, Education Code

Summary: Requires each school district to provide a disciplinary alternative education program (DAEP) that employs only teachers who meet all certification requirements, completing the transition that was formerly initiated under Subsection (a)(8) extending this requirement beyond “off campus” DAEPs to apply also to “on campus” DAEPs. Additionally, subsection (a)(8) was amended to require districts to provide not less than the minimum amount of instructional time per day as required by TEC 25.082(a) (relating to a requirement that a school day to be at least seven hours each day).

Requires the Texas Education Agency (TEA) to adopt minimum standards for the operation of DAEPs. These include student to teacher ratios, student health and safety, reporting of abuse, neglect, or exploitation of students, teacher training in behavior management and safety procedures, and planning for a student’s transition from a DAEP to a regular campus.

Change from current law: Provides more specific minimum standards for DAEPs in order to ensure a quality education for students enrolled in those programs.

Effective Date: Immediately; however, the terms of the Act apply beginning with the 2007-2008 school year.

Action required for 2007-2008 School Year: Districts with on-campus DAEPs will be required to employ only teachers who meet all certification requirements. All DAEPs must provide not less than the minimum amount of instructional time per day as required by TEC 25.082. TEA must adopt minimum standards for the operation of DAEPs. These include student to teacher ratios, student health and safety, reporting of abuse, neglect, or exploitation of students, and planning for a student’s transition from a DAEP to a regular campus.

Outstanding Issues: None

Does this bill create a new program? No

Does this bill require a new report? Yes, no later than December 15, 2008, the agency shall deliver a report to the legislature that provides the estimated costs to the agency of enforcing the standards adopted under Section 37.008 (a-1) including the estimated cost of on-site monitoring to enforce standards and alternative methods of monitoring compliance with the standards.

Rulemaking Authority? Yes, commissioner

Does this apply to charters? No. Charters are exempt from TEC, Chapter 37.

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

Statute Amended or Added: Amends Section 37.0081 and adds Section 37.0082 and 37.301-37.313, Education Code. Amends Art. 15.27, Texas Code of Criminal Procedure

Summary: Gives the board of trustees of a school district the option to expel a student and place the student in an alternative setting for felony conduct under Title 5, Penal Code if, with regard to the conduct, the student :

- has received deferred prosecution under Family Code §53.03;
- has been found by a court or jury to have engaged in delinquent conduct under Family Code §53.03;
- is charged with engaging in conduct defined as a felony offense in Title 5 (Offenses Against the Person), Penal Code;
- has been referred to a juvenile court for allegedly engaging in delinquent conduct under Family Code §54.03;
- has received probation or deferred adjudication; or
- has been arrested for or charged with a Title 5 Felony.

The option applies if the school board or the board's designee finds that the student's presence in the regular classroom threatens the safety of other students or teachers, will be detrimental to the educational process, or is not in the best interests of the district's students. This authority applies regardless of the date on which the conduct occurred, the location at which the conduct occurred, whether the conduct occurred while the student was enrolled in the district, or whether the student has successfully completed court requirements.

If there is a conflict between this section and Section 37.007, the general expulsion section, Section 37.007 prevails.

Students expelled under this section must be placed in a juvenile justice alternative education program (JJAEP), if the district is located in a county that operates a JJAEP or if the district contracts with the juvenile board of another county for the provision of the JJAEP, or in a disciplinary alternative education program (DAEP). The board of trustees shall reimburse a JJAEP in which a student is placed under this section for the actual cost incurred each day. The juvenile board of the county operating the program shall determine the actual cost per day based on the juvenile board's annual audit.

The placement continues until the student graduates, the charges are dismissed or reduced to a misdemeanor offense, or the student completes the term of the placement or is assigned to another program. A student placed in an alternative setting under this section is entitled to a periodic review of the student' academic status as provided by Section 37.009.

Adds Section 37.0082 relating to the assessment of academic growth of students during placement in a DAEP. The district must administer, initially on placement and subsequently on the date of the student's departure from the program, to each student placed for a period of 90 school days or longer, an assessment instrument approved by the Commissioner of Education. The assessment is in addition to the assessment instruments required to be administered in Chapter 39 (Assessment Program). The assessment must be designed to assess at least a student's basic skills in reading and mathematics and may be comparable to any assessment instrument generally administered to students placed in JJAEP for a similar purpose or based on an appropriate alternative assessment instrument developed by the agency to measure student academic growth.

It also addresses the placement of students who are registered sex offenders under Chapter 62, Code of Criminal Procedure. The new provisions apply only if the offense was committed on or after September 1, 2007. The language separates the registered sex offender into two categories—those that are under any form of court supervision including probation, community supervision, or parole and those that are not under any form of court supervision. The provisions do not apply to students no longer required to register as a sex offenders and those exempted from registration. The district must remove any student registered as a sex offender with court supervision from regular classes [for a period of not less than one semester] and determine the appropriate alternative education program placement of the student—either a JJAEP or DAEP. The required placement is DAEP unless the local MOU with the JJAEP provides for JJAEP placement or placement of the student in JJAEP is ordered by a court. If the student registered as a sex offender is not under court order the district has the option to remove the student from regular classes [for a period of not less than one semester] and determine the

appropriate alternative education program placement of the student—either a JJAEP or DAEP, or allow the student to attend regular classes. However, board of trustees may not allow the student to remain in regular classes if the board determines that the student's presence in the regular classroom threatens the safety of other students or teachers, will be detrimental to the educational process, or is not in the best interests of the district's students.

At the end of the first semester of a registered sex offender's placement in an alternative program, the district board of trustees shall convene a committee composed of a classroom teacher from the regular campus to which the student would be assigned; the student's parole or probation officer or, in the case of a student who does not have a parole or probation officer, a representative of the local juvenile probation department to review the student's placement; an instructor from the alternative education program to which the student is assigned, school district designee selected by the board; and a counselor employed by the district. The committee by majority vote shall recommend whether the student should be returned to the regular classroom or remain in the alternative education program. The board can overrule the committee's decision to return the student to the classroom if they determine the student's presence threatens the safety of other students or teachers, will be detrimental to the educational process, or is not in the best interest of the district's students. Further, the board can overrule the committee's decision to leave the student in the program if they determine that the student's presence in the regular classroom does not threaten the safety of other students or teachers, will not be detrimental to the educational process, or is in the best interests of the district's students. When a committee or board review determines that the student should remain in the alternative education program after a review, before the beginning of each school year the board must convene the committee to re-evaluate the student's alternative placement.

Students with a disability must be placed in compliance with the Individuals with Disabilities Education Act. The placement review must be conducted by a duly constituted admission, review, and dismissal (ARD) committee. The ARD committee may request that the board convene a formal review committee to assist the ARD committee in conducting the review

Change from current law: In 1995, the legislature established the juvenile justice alternative education program (JJAEP) to mandate the removal of expelled students in more populous counties to a separate educational facility. Under current law, the board of trustees of a school district does not have the option to expel students charged with certain felonies to the juvenile justice alternative education program unless the incident occurred on school property or at a school-sponsored or school-related event. As a result, violent offenders often interact on a daily basis with non-violent offenders in the disciplinary alternative education program or regular classroom setting.

Effective Date: Immediately. The new subchapter regarding the educational placement of a registered sex offender applies only if the offense occurred on or after September 1, 2007.

Action required for 2007-2008 School Year Address placement of registered sex-offenders in JJAEP MOU. Determine assessment instrument that will be used for purposes of new Section 37.0082.

Outstanding Issues: None

Does this bill create a new program? No

Does this bill require a new report? Yes, no later than November 1, 2008, the agency shall deliver a report to certain legislative officers of its conclusions and recommendations regarding alternative methods of evaluating the effectiveness of disciplinary alternative education programs.

Rulemaking Authority? Yes, commissioner

Does this apply to charters? No. Charters are exempt from TEC, Chapter 37.

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

Statute Amended or Added: Amends Sections. 12.1051(b), 37.082, 37.108(c), and 37.203(a), Education Code Amends Chapter 418, Government Code.

Summary: This bill relates to homeland security and protection of the public. Part of the bill amends the Government Code chapter on Emergency Management, Chapter 418. In that chapter, the bill extends provisions on local governments providing mutual aid assistance to include school districts and other political subdivisions.

It adds a new Subchapter E-1 creating the "Texas Statewide Mutual Aid System" that will govern the mutual aid response between local governments if there is not a local written agreement. If there is a local written agreement, the agreement controls. The division of emergency management in the governor's office administers the system. The system divides the state into disaster districts to engage in homeland security preparedness and response activities.

Each district has a committee composed of local representatives of state agencies, boards, commissions and organized volunteer groups with representation on the emergency management council. The DPS public safety director appoints a commanding officer from the Texas Highway Patrol to serve as chair of each district. The chair reports to the State Director of Homeland Security.

The political subdivisions in each district agree on procedures for mutual aid. A local government may provide assistance to the extent personnel, equipment, and resources are available based on current or anticipated events in its jurisdiction. The responding local government's personnel, equipment, and resource are under the operational control of the requesting local government, but direct supervision and control of personnel, equipment, and resources remain the responsibility of the designated supervisory personnel of the responding local government.

The division of emergency management administers requests for reimbursement for aid in response to a request made by the division for an incident resulting in the issuance of a disaster declaration by the United States president. For aid requested by a local government, the requesting local government is required to reimburse the responding local government entity.

The bill amends Chapter 661 of the Government Code to provide that a state employee, such as a Texas Education Agency employee, who holds an amateur radio station license may be granted leave not exceed 10 days each fiscal year to participate in disaster relief if the leave is taken with the authorization of the employee's supervisor and approval of the governor. The number of amateur radio operators eligible for leave may not exceed 350 at any one time. The division of emergency management is required to coordinate and maintain a list of eligible employees.

The bill amends Sec. 12.1051(b), Education Code, to provide that laws relating to open meetings or public information located outside of the open meetings and public information chapters of the Government Code that are applicable to school districts also apply to open-enrollment charters. (Section 3.01 of bill.)

Amends Sec. 37.082, Education Code, to exempt possession by a license amateur radio operator of an amateur radio from the law relating to possession of a paging device at school. (Section 2.02 of bill.)

Amends Sec. 37.108(c), Education Code, to require a school district to report the results of security audits to the Texas School Safety Center in addition to the district's board of trustees. (Sections 3.02 and 3.04 of bill.)

Amends Sec. 37.203(a), Education Code, to change the composition of the advisory board to the Texas School Safety Center to refer to the commissioner of DSHS instead of MHMR. (Section 3.03 of bill.)

Amends Section 551.045, Government Code, to specify that a governmental entity may hold an emergency meeting or give supplemental notice of an emergency item added to meeting agenda to address the sudden relocation of a large number of residents from the area of a declared disaster. (Section 3.06 of bill.)

Amends Section 551.076, Government Code, to permit a closed meeting to deliberate a security audit. (Section 3.07 of bill.)

Amends Section 431.005, Government Code, to provide that a person who is an employee of the state or a political subdivision (which includes a school district) and is a member of state or federally authorized Urban Search and Rescue Team is entitled to a paid leave of absence on a day on which the person is engaged in authorized training or duty for not more than 15 workdays in a federal fiscal year. If such a person is a state employee and is ordered to duty, when relieved from duty the person is entitled to be restored to the position that the person held when ordered to duty.

Change from current law: The provisions regarding the statewide mutual aid system are new. Sec. 12.1051(b), Education Code, currently provides that requirements of the open meetings and public information chapters in the Government Code applicable to school districts also apply to open-enrollment charters. An amateur radio would be considered a paging device under current law regarding possession of paging devices in a public school. School districts are not currently required to report the results of safety audits to the Texas School Safety Center. Section 431.005, Government Code, currently applies only to members of the state military forces or of a reserve component of the armed forces.

Effective Date: Article 1 of the bill, including the new Government Code subchapter regarding the Texas Statewide Mutual Aid System, takes effect June 6, 2007. The remainder of the bill, including all amendments to the Education Code, takes effect September 1, 2007.

Action required for 2007-2008 School Year: Revise policy regarding paging devices with regard to amateur radios in the possession of a licensed operator. Report security audits after September 1, 2007 to the Texas School Safety Center in the manner directed by the center. Update personnel policies to conform to the amendment to Section 431.005, Government Code.

An open-enrollment charter should revise its policies as needed to comply with laws outside of Chapters 551 and 552, Government Code, that relate to open meetings or public information.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Sections 3.01, 3.06 and 3.07 apply to charters. The amendments to Chapter 551, Government Code, are applicable because the chapter expressly applies to charters under Section 12.1051, Education Code.

Does this bill contain a new reporting requirement for TEA/school districts? Yes, school districts are required to report results of certain safety audits to the Texas School Safety Center.

Statute Amended or Added: Adds Section 37.0831, Education Code

Summary: Requires each school district to adopt and implement a dating violence policy to be included in its district improvement plan and provides for the specifics of the policy, including certain content.

The policy must address the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a dating relationship. The new Education Code section uses the definition of “dating relationship” found in Section 71.0021, Family Code, which is “a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of the length of the relationship; the nature of the relationship; and the frequency and type of interaction between the persons involved in the relationship.”

Also, the policy must prescribe the districts plan to provide for dating violence safety planning, enforcement of protective orders and school-based alternatives to protective orders, training for teachers and administrators, counseling for affected students, and awareness education for students and parents.

Change from current law: Currently, the district improvement plan does not address dating violence.

Effective Date: May 18, 2007

Action required for 2007-2008 School Year: Districts must review and if necessary update the district policy, code of conduct, improvement plans, and safety plan to include Dating Violence policies and procedures to include the enforcement of protective orders and school-based alternatives to protective orders. Districts must review and if necessary update the district *Comprehensive, Developmental Guidance & Counseling Program* to ensure that it includes plans to meet the immediate and long term counseling needs of students affected by Dating Violence. Districts must plan and conduct awareness education and training on Dating Violence for students, staff, and parents.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Section 37.102, Education Code

Summary: Eliminates the district's ability to consider violations of the school district rules authorized under the Texas Education Code as a criminal offense (Class C misdemeanor) with the exception of adopted rules providing for the operation and parking of vehicles on school property. The board of trustees of a school district retains the authority to adopt rules for the safety and welfare of students, employees, and property. Citations could be written for certain conduct that violates the code of conduct, but the underlying legal basis would be a statute other than the TEC, probably the Penal Code. A code of conduct violation that does not involve vehicles and is not an offense under some other statute would no longer support a criminal charge.

Change from current law: Under TEC §37.102 (Rules; Penalty), Education Code, the board of trustees of a school district is authorized to adopt rules for the safety and welfare of students, employees, and property. Under current law, violations of such rules are Class C misdemeanors.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Districts will be required to review and as applicable, amend Local Policy including the code of conduct to eliminate rules that purport to result in a criminal offense that are not related to the operation and parking of vehicles on school property.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends, Section 37.108, Education Code

Summary: Provides that a school district shall include in its multihazard emergency operations plan a policy for responding to a train derailment near a district school. A school district is only required to adopt such a policy if a district school is located within 1,000 yards of a railroad track, as measured from any point on the school's real property boundary line. The school district may use any available community resources in developing such a policy.

Change from current law: Adds train derailment to emergency operations plan.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: School districts with affected campuses would be required to modify existing multihazard emergency operations plans to incorporate a policy to address response to a train derailment near the campus.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 37.125, Education Code

Summary: Provides that a person commits an offense if, in a manner intended to cause alarm or personal injury to another person or to damage school property, the person intentionally exhibits, uses, or threatens to exhibit or use a firearm in or on any property, including a parking lot, parking garage, or other parking area, that is owned by a private or public school or on a school bus being used to transport children to or from school-sponsored activities of a private or public school. An offense under Section 37.125 is a third degree felony.

Change from current law: Currently, Section 37.125 does not include parking lots and parking garages in the list of premises on which a person is prohibited from intentionally, knowingly, or recklessly exhibiting or using a firearm.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Districts must review and if necessary update the district policy and code of conduct to modify or add language regarding the offense under Section 37.125 as amended.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Adds §37.217, Education Code

Summary: The School Safety Center, in cooperation with the attorney general, shall develop a program to be made available to all public schools that provides instruction concerning Internet safety relating to dangers of allowing personal information to appear on an Internet website, the manner in which to report an inappropriate online solicitation and the prevention, detection, and reporting of bullying or threats occurring over the Internet.

Change from current law: Not applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? Yes, on Internet Safety

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 38.001 and adds Section 38.019; Education Code

Summary: Gives Department of State Health Services (DSHS) power to create and amend a list of required immunizations for admission or provisional admission to public schools in addition to immunizations the department recommends for school-age children. This bill also requires school districts with website capabilities to post information relating to immunizations exceptions, required and suggested immunizations for school age children, information on health clinics offering vaccines and links to the DSHS website. This Act may be cited as the Emily Lastinger Act.

Change from current law: Changes authority from State Board of Health to Department of State Health Services. Adds DSHS power to create and implement required immunizations list. Adds mandatory website component.

Effective Date: Immediate Effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? Yes, the Immunization Awareness Online Program

Rulemaking Authority? No

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes, posting on District websites

Statute Amended or Added: Amends Section 38.001, Education Code

Summary: Preempts the executive order that made immunization against human papillomavirus (HPV) required prior to the admission to the sixth grade. Instructs the Health and Human Services Commission, using existing resources, to provide educational material about the HPV vaccine to be made available to parents or legal guardians at the appropriate time in the immunization schedule by the appropriate school.

Change from current law: Changes authority from State Board of Health to the Executive Commissioner of the Health and Human Services Commission to add or delete immunization requirements and adds language reflected in the summary.

Effective Date: Immediate Effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

SB 1456

Statute Amended or Added: Amends Section 38.004, Education Code

Summary: Requires agency to develop and update a training program for school district staff, as well as maintain list of website links on the agency website, in relation to the prevention of child abuse.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? Yes, requires the agency to create a training program in relation to the prevention of child abuse

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Sections 5.001, 7.026, and 29.903 Education Code. Adds Sections 22.902, 28.0023, 38.017, 38.018, 38.019, and 44.047, Education Code. Repeals Subsection (b), Section 29.903, Education Code

Summary: Provides a mechanism for determining the placement of automated external defibrillator (AED) machines at private and public schools as defined and requires coordination of development of the mechanism with UIL, school districts, and Texas Association of Private and Parochial Schools. Requires the SBOE to develop rules for CPR, and the use of AEDs to be included in TEKS health curriculum. Requires the Commissioner of Education to adopt rules outlining who must receive CPR training and AED us certification. Allows the agency to accept donations to off set the cost of obtaining AED as outlined. Requires school districts to adopt safety procedures for the use of AEDs. Requires Commissioner of Education to develop a pilot program limited to grade 6 for cardiovascular screening using echocardiograms and electrocardiograms.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? Yes

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

Statute Amended or Added: Adds Section 38.023, Education Code

Summary: Requires the Texas Education Agency to adopt a universal Internet safety and use curriculum so that students may be made aware of the dangers of the Internet. The guide would specifically include information regarding the danger of giving personal information to be obtained via websites, the importance of copyright laws, and the consequences of plagiarism and illegal downloading of electronic media.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: The agency shall develop and make available to school districts a list of resources concerning Internet safety, including a list of organizations and Internet websites that may assist in educating teachers and students about the potential dangers of allowing personal information to appear on an Internet website; the significance of copyright laws; and the consequences of cyber-plagiarism and theft of audiovisual works, including motion pictures, software, and sound recordings, through uploading and downloading files on the Internet.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

SB 1031

Statute Amended or Added: Amends Sections 18.006, 21.006, 25.005, 29.081, 29.087, 30.021, 39.023, 39.025, 39.034, 39.051, 39.075, and 51.3062, Education Code. Adds Sections 21.006(b-4), 39.001, 39.002, 39.003, 39.004, 39.005, 39.006, 39.007, 39.0233, 39.0234, 39.0261, 39.0262, 39.0301, 39.0302, 39.030, 39.0304, 39.035, 39.0351, 39.036, Education Code. Repeals 39.0239(j). Education Code.

Summary:

Assessment Instrument Requirements:

Phase-out the TAKS test for grades 9-11 and replace with the following end-of-course assessments:

English	Mathematics	Science	Social Studies
English I	Algebra I	Biology	World Geography
English II	Geometry	Chemistry	World History
English III	Algebra II	Physics	US History

(Sec. 39.023(c), Education Code)

- Provides that the agency may adopt other end-of-course instruments not listed above and performance on those tests is not subject to the performance requirements for graduation. (Sec. 39.023(c-2), Education Code)
- The freshman class of 2011-2012 will be the first group of students to take EOC exams for graduation purposes. (Sec. 39.025(f), Education Code)
- In order to graduate, students must attain a cumulative score that is at least equal to the product of the number of tests taken in that subject and 70, with each EOC test scored on a scale of 0-100. Students scoring below 70 will receive accelerated instruction and have the opportunity to be re-tested. Students must score at least 60 in order to count the score toward the cumulative number. (Sec. 39.025(a), Education Code)
- Students graduating under the minimum high school program are only required to take the end-of-course assessments for courses required for graduation. (Sec. 39.025(a), Education Code)
- The score a student achieves on the end-of-course exam shall be worth 15% of the student's final grade for that course. (Sec. 39.023(c), Education Code)
- Each time an end-of-course assessment instrument is administered, a student failing to achieve at least 60 shall retake the assessment. Any other student may retake an end-of-course assessment for any reason. A student is not required to retake a course as a condition of retaking an end-of-course instrument. (Sec. 3.025(b), Education Code)
- If a student retakes the end-of-course assessment, a school district is not required to use the student's performance on subsequent administrations to determine the student's final grade in the course. (Sec. 39.023(c), Education Code)
- End-of-course assessments include a separate series of special purpose questions to measure college readiness and the need for developmental coursework in higher education. Exams in lower level courses will have questions to determine readiness for advanced coursework. (Sec. 39.023, Education Code)
- To the extent practicable, each end-of-course assessment shall measure a student's performance on college readiness standards and be validated by national post-secondary education experts for college readiness content and performance standards. (Sec. 39.023(c-4), Education Code)
- Satisfactory performance on an Advanced Placement, International Baccalaureate, SAT, ACT, or another instrument determined to be as least as rigorous as the end-of-course assessment may

be used to determine whether the students meets end-of-course requirements, including the cumulative score requirement. *(Sec. 39.025(a-1), Education Code)*

- If a school district determines that a student, on completion of grade 11 is unlikely to achieve the cumulative score requirements for one or more subjects, the school district shall require the student to enroll in a corresponding content area college preparatory course for which an end-of-course assessment has been adopted, if available. A student who enrolls in a college preparatory class shall be administered an end-of-course assessment for the course that is scored on a scale of 40. This score may be used to satisfy cumulative score requirements for high school graduation. These courses and end-of-course assessments are authorized in separate legislation, HB 2237, that addresses adopting new college preparatory courses for seniors, with TEKS adoption in 2010, test development in 2012, and test implementation in 2014-15. *(Sec. 39.025(b-2), Education Code)*
- All assessments (grades 3-12) shall be developed in a manner that allows a measure of annual student improvement. *(Sec. 39.023(c-1), Education Code)*
- A vertical scale will be implemented in grades 3-8 for mathematics and reading starting with the 2008-2009 school year. *(Sec. 39.036, Education Code)*
- Requires the commissioner of education to adopt a transition plan to implement SB 1031, including accountability requirements during the phase-out of TAKS and the phase in of end-of-course requirements. *(Sec. 39.025(f), Education Code)*

Other:

- Allows the agency to release assessment questions every third year. *(Sec. 39.025(f)(2), Education Code)*
- Starting in 2007-2008, assessment instruments are to be administered at least two weeks later than the date on which they were administered during the 2006-2007 school year. Beginning in 2011-12, the spring EOC exams may not be administered earlier than the first full week in May, except English I, II, and III. *(Sec. 39.023(c-3), Education Code)*
- All students will complete a college readiness diagnostic assessment in the 8th and 10th grade and students may choose to take a college entrance exam in the 11th grade, all at state expense. *(Sec. 39.0261, Education Code)*
- Limits stand-alone field testing to every other year with the exception of new assessment instruments. Also requires the agency to notify districts prior to the start of the school year of participation in field testing, and calls for a field-test study to be completed by December 1, 2008. *(Sec. 39.035, Education Code)*
- The Commissioner may require training for school district employees involved in administration of assessment instruments and also allows for a qualifying component. *(Sec. 39.0304, Education Code)*
- Safeguards, record retention requirements, random audits, subpoena power, criminal penalties, confidentiality provisions, and requirements for conducting annual statistical analyses are added to maintain the security and integrity of the assessment system. *(Sec. 39.031, Education Code)*

Accountability:

- Adds a new requirement for a Select Committee on Public School Accountability to conduct a comprehensive review of the public school accountability system. The committee must conduct an in-depth, comprehensive review of the public school accountability system to study the mission, organizational structure, and practices of similar systems in other states and the requirements established by federal law. The bill requires that the governor, lieutenant governor, and speaker of the House of Representatives appoint the fifteen committee members and requires that the committee is co-chaired by the presiding officers of standing committees of each house of the legislature with primary jurisdiction over public education. An organizational meeting

is required no later than October 1, 2007. (TEC §39.001, TEC §39.002, TEC §39.003. TEC §39.004, TEC §39.005, TEC §39.006, TEC §39.007)

Change from current law: Phases out TAKS for grades 9-11 to be replaced with end-of-course testing, requires that reading and mathematics assessments in grades 3-8 be aligned on a vertical scale, puts into statute measures that TEA can take to ensure security and proper administration of its assessment instruments, also allows the TEA to release answer keys every third year and limits stand-alone field testing to every other year.

Effective Date: September 1, 2007.

Action required for 2007-2008 School Year: The commissioner may conduct random audits as authorized by TEC §39.0301(f) to ensure security and proper administration of assessment instruments.

Outstanding Issues: Adjustments for field-testing, construction of end-of-course assessments, hiring of necessary staff.

Does this bill create a new program? Yes

Does this bill require a new report? Yes, a report detailing districts' ability to administer assessment instruments via computer is due no later than December 1, 2008. A study of the sample size and sample procedures used in field testing of state assessments is due no later than December 1, 2008. The Select Committee on Accountability must report its findings, with recommendations for statutory changes, no later than December 1, 2008.

Rulemaking Authority? Yes, Commissioner, State Board of Education and State Board for Educator Certification.

Does this apply to charters? Yes.

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Reporting of end-of-course testing.

Statute Amended or Added: Adds Section 39.0235, Education Code

Summary: The commissioner by rule shall establish a pilot program in which a participating school district assesses student technology proficiency. A school district may apply to the commissioner to participate in the pilot program. The commissioner shall select for participation school districts from both rural and urban areas of the state. The agency shall adopt an assessment instrument designed to assess an individual student's mastery of the essential knowledge and skills in technology to be administered by a school district participating in the pilot program. The assessment instrument adopted under this subsection must be an existing product that is currently available. Each school year, the assessment instrument shall be administered in a participating school district to each student in either fifth, sixth, seventh, eighth, or ninth grade, with the grade level and time to be determined by the district. The assessment instrument must: be administered online; be aligned with the essential knowledge and skills requirements for technology applications; and incorporate performance-based measures, including a requirement that students perform certain technological tasks and respond to questions based on the completion of those tasks.

An assessment instrument administered by a participating school district must be designed in a manner to provide the district with an automatic report of the technology literacy proficiency of a district student in a format that is compatible with the school district and state data information systems. A participating school district shall report student performance on the assessment instrument to the agency.

Change from current law: Not applicable.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: No appropriation was made to conduct this pilot.

Does this bill create a new program? Yes

Rulemaking Authority? Yes, commissioner

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes – districts must report assessment results to the Agency.

Statute Amended or Added: Adds Section 39.037, Education Code

Summary: Requires the commissioner to establish a program under which a participating district would administer international assessment instruments to students. Districts can apply to participate in the program, but if necessary the commissioner can require a district to participate in the program.

The commissioner will select both rural and urban districts to participate in international assessments. The agency will then compare the performance of Texas students on the international assessments against the performance of students at the same grade level in other countries. The agency would also compare the international assessments with the state's assessments and educational goals.

In addition, the agency will also be required to provide professional development for educators in the interpretation and use of results from the international assessments.

Not later than January 1 of each odd-numbered year, the agency will prepare and deliver a report describing the results of student performance on the international assessment instruments to the governor, lieutenant governor, each member of the legislature, and school districts.

Each biennium the commissioner can use an amount not to exceed \$2 million from the Foundation School Program to provide for costs of the program.

Change from current law: No current requirement.

Effective Date: Applies with the 2007-2008 school year.

Action required for 2007-2008 School Year: Act begins with the 2007-2008 school year.

Outstanding Issues: The TEA currently has the ability to compare IB/AP results to the rest of the country, and in theory these two tests can be used for international comparison. An issue with this approach is that there exists strong bias in the dataset since the results tend to be comprised of the scores from the wealthiest students and not of a statistically significant sample that is representative of a country as a whole.

One possibility to comply with HB 3259 is to use the NCES's Trends in International Mathematics and Science Studies (TIMSS) and [Progress in International Reading Literacy Study \(PIRLS\)](#), both of which are used to compare the educational levels of students from across the world. (There is little overlap between NAEP testing and TIMSS and PIRLS testing.)

TIMSS and PIRLS provide the U.S. education community with data on mathematics, science, and reading achievement of U.S. students in an international context. These assessments also provide cross-national data about students' achievement in relation to different types of curricula, instructional practices, and school environments. The datasets are constructed to aggregate by curricula, instructional practices, and school environments, but it may not be currently possible to aggregate by state. If not, an arrangement with the testing organizations would have to be made. Also, it is not known whether enough Texas students are included in the sample to qualify as a valid sample in its own right.


TIMSS and PIRLS are seen as the most promising, and possibly only, options of complying with the stipulations in HB 3259. But for the TEA to use TIMSS and PIRLS, the following issues would need to be resolved with NCES: 1) aggregation of results by state; 2) evidence that a statistically significant sample of Texas students is being tested; 3) a reporting system that enables TEA to report and compare the state's results with those from other countries

Does this bill create a new program? No

Rulemaking Authority? The commissioner has the authority to require districts to participate in the international assessments. The commissioner also has the authority to adopt any and all necessary rules in order to comply with HB 3259.

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Not later than January 1 of each odd-numbered year, the agency will prepare and deliver a report describing the results of student performance on the international assessment instruments.



Statute Amended or Added: Amends Section 39.072(d), Education Code

Summary: States that for the purposes of determining the performance of a school district, including the accreditation status of the district, a student confined by court in a residential program or facility operated by or under contract with the Texas Youth Commission, Texas Juvenile Probation Commission, or any other governmental entity, including a juvenile board, is not considered to be a student of the school district in which the program or facility is physically located.

Change from current law: Currently, the performance results (assessment, completion, and dropout) of students confined by court order in a residential program or facility operated by or under contract with the TYC are not included in the district results for the district where the TYC campus is located. TYC campuses are evaluated, but the district rating is not affected by the performance data reported on these campuses.

This bill will expand the residential program or facilities for which the performance will not be attributed to the district in which the facility is located to include residential programs or facilities operated by or under contract with the Texas Juvenile Probation Commission, or any other governmental entity, including a juvenile board.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Changes apply beginning with the 2007-08 school year.

Outstanding Issues: In order for this bill to be implemented in the 2007-08 school year, immediate identification of TJPC programs and facilities is needed. In addition, the agency needs an interpretation and definition of "governmental entity, including juvenile boards". After the interpretation is made, it may be necessary to obtain additional information in order to have a complete list of all exclusions

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Not known at this time.

Statute Amended or Added: Adds § 39.115 and § 39.116, Education Code

Summary: Allows the agency to award grants to secondary campuses and school districts to support the implementation of innovative high school improvement programs that are based on the best available research, enhancing education practices that have been demonstrated to have significant evidence of effectiveness, and the alignment of grants and programs to the strategic plan developed by the High School Completion and Success Initiative Council. The grant program may require a campus or school district to obtain local matching funds or meet other conditions. This section allows the commissioner to accept gift, grants, or donations from a private foundation and to coordinate gifts, grant, or donations with other available funding to implement this grant program. The agency is also allowed to support technical assistance services to implement a high school improvement program under this section.

Section 39.116 allows a school district to retain at a campus a principal who has been employed at the campus as a principal during the two-year period described by Section 39.1324(a) if the students enrolled at the campus have demonstrated a pattern of significant academic improvement.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: The agency will develop and establish a number of new grant programs.

Outstanding Issues: None

Does this bill create a new program? Yes

Rulemaking Authority? No

Does this apply to charters? Yes. TEC 12.106B states that an open-enrollment charter school is entitled to funds that are available to school districts or the agency in the form of grants or other discretionary funding unless the statute authorizing the funding explicitly provides that open-enrollment chart schools are not entitled to the funding.

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

Statute Amended or Added: Adds Subchapter L, Sections 39.351-366, Education Code

Summary: Establishes a High School Completion and Success Initiative Council composed of the commissioner of education, the commissioner of higher education, and seven members appointed by the commissioner from lists provided by the governor, the lieutenant governor, and the speaker of the house of representatives. The commissioner of education serves as the presiding officer of the Council, and staff from the Texas Education Agency provides administrative support to the Council. The Council shall adopt a strategic plan to 1) specify strategies to improve high school completion and success and college and workforce readiness, 2) establish goals to measure the success of the strategies, 3) identify strategies for alignment and coordination of federal and other funding for high school reform, dropout prevention, and preparation of students for postsecondary, and 4) identify key objectives for research and program evaluation. After March 15, 2008, the commissioner may not spend money in a manner inconsistent with the strategic plan. The council shall also make recommendations to the commissioner of education and higher education for the use of federal and state funds appropriated or received for high school reform, college readiness, and dropout prevention.

This subchapter creates standard eligibility for certain grant programs in HB 2237. It allows the commissioner to set aside funds for evaluation of programs under the subchapter and allows the agency to provide funding to school districts to obtain technical assistance in preparing a grant proposal. By December 1 of each even-numbered year, the agency shall prepare a report recommending statutory changes regarding high school completion and success. Not later than March 1 and September 1 of each year, the agency shall deliver a progress report regarding the implementation of programs under HB 2237 and the alignment of programs to the strategic plan.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: The commissioner must appoint seven Council members, and the Council must adopt a strategic plan by March 15, 2008.

Outstanding Issues: The agency must receive nominations for Council members from the governor, lieutenant governor, and the speaker of the house.

Does this bill create a new program? No

Rulemaking Authority? Yes, The commissioner shall adopt rules as necessary to administer Subchapter L and any programs under the authority of the Council.

Does this apply to charters? Yes. TEC 12.106(b) states that open-enrollment charter schools are entitled to funds that are available to school districts from the agency in the form of grants.

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

Statute Amended or Added: Adds Section 41.0041, Education Code.

Summary: Permit school districts that are notified for the first time in 2006-07 or later that they are subject to the provisions of Chapter 41, Education Code to postpone the requirement for the district to select an option for reducing its property wealth if that district is expected to receive more revenue under the provisions of Section 42.2516 than they would be expected to owe in recapture costs.

Change from current law: These provisions allow districts that are notified for the first time of their Chapter 41 status to postpone the need to select one of the five wealth-reduction options in that year. Current law prohibits such a district from adopting a tax rate until the district has selected one of the five options. The bill makes explicit provisions to allow these districts to adopt a tax rate without selecting an option.

Effective Date: June 15, 2007

Action required for 2007-2008 School Year: School districts who are affected by these new provisions may choose not to have an election the first year they are notified of their Chapter 41 status.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? The commissioner currently has rulemaking authority in Chapter 41, and we will amend those rules to accommodate these new provisions.

Does this apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? There are no new reporting requirements specified in the bill, however, we may require some additional information from districts in order to implement.

Statute Amended or Added: Amends Sections 41.097(a) and 41.210(b), Education Code. Amends Sections 6.02(a) and (b), and 25.17, Tax Code. Repeals Section 13.007, Education Code. Repeals Sections 6.02(c), (d), (e), (f), and (g), and Sections 6.025 and 6.03(m), Tax Code.

Summary: This bill amends Sections 6.02(a) and (b), Tax Code, to provide that appraisal district boundaries are the same as county boundaries and to provide authorization for adjoining appraisal districts to operate a consolidated appraisal district under an interlocal agreement. Current provisions that allow taxing units located in two or more counties to choose to participate in only one appraisal district are repealed.

Section 25.17, Tax Code, requires that chief appraisers of property that is located in more than one appraisal district coordinate their appraisals to the greatest extent possible in order to ensure that the whole property is appraised at market value.

The bill makes conforming amendments to Section 41.097(a), Education Code, related to credits against the cost of recapture for appraisal district costs and to Section 41.210(b), Education Code, related to notices required of the chief appraiser following the detachment and annexation of property between school districts.

The bill repeals Section 13.007, Education Code, which currently makes provisions for boundary changes for school district that have property that lies within an appraisal district in which they do not participate. This section of the bill also repeals several sections of the Tax Code, including Sections 6.02(c), (d), (e), (f), and (g) that make provisions for school districts that are located in two or more counties and chose to participate in a single appraisal district. The bill repeals Section 6.025, Tax Code, that prescribes joint procedures for chief appraisers to use in situations where they have overlapping territory. The bill also repeals Section 6.03(m), Tax Code, which currently makes provisions for school districts to be represented on appraisal district boards when the only school district property located within the appraisal district was annexed to the district in an annexation done under the authority of Subchapter C or G, Chapter 41, Education Code.

The bill provides several enacting clauses and provisions for the transition of appraisal district operations and appraisal district directors. The changes in law relating to the appraisal of property apply only to the appraisal of property that begins on or after January 1, 2008. The terms of appraisal directors that would otherwise expire after January 1, 2008, would expire on January 1, 2008, and the appraisal district board would be required to fill the vacant directorships as soon as practicable after they were vacated.

Taxing units would be entitled to vote in 2007 for appraisal district directors whose terms would begin on January 1, 2008. Each taxing unit will participate in 2008 under the law as amended by this Act. Voting entitlements of each taxing unit is determined by dividing the total dollar amount of property taxes imposed by the taxing unit located for the 2006 tax year divided by the total amounts of all property taxes collected by taxing units in the county that year and multiplying that quotient by 1,000 and rounding the product to the nearest whole number. Taxing units that are located in two or more counties are entitled to vote in the appraisal district for each county, but only the taxes attributable to the county will be used in calculating the voting entitlements for the respective counties.

No later than September 15, 2007, the chief appraiser of each appraisal district shall revise the proposed 2008 budget to account for changes made by this Act.

During the 2008 tax year, the portion of the appraisal district budget allocated to each taxing unit will be established by the proportion of taxes collected by the district within a county in 2007 in relation to the total taxes collected in that county.

The enacting clauses become effective immediately, and the provisions related to the appraisal district boundaries and operations become effective January 1, 2008.

Change from current law: The bill requires the boundaries of an appraisal district to be contiguous with the boundaries of the county. The bill repeals current provisions that allow taxing units that are located in two or more counties to choose to participate in only one appraisal district and makes provisions for the operation of consolidated appraisal districts. The bill also requires chief appraisers of property that lies within two or more counties to coordinate their appraisals to the greatest extent possible.

School districts with property that lies within two or more counties could no longer choose to participate in only one appraisal district. These school districts would be required to participate in multiple appraisal districts by electing directors and paying proportionate costs for operations of each appraisal district.

Effective Date: The enacting clauses that allow appraisal districts to vote for new directors in 2007 would become effective immediately. The changes to the appraisal district boundaries and operations would become effective on January 1, 2008.

Action required for 2007-2008 School Year: School districts that currently have property that lies within two appraisal districts and have chosen to participate in only one of the appraisal districts will need to elect new appraisal district directors to the appraisal district(s) in which they currently do not participate. These elections will take place before January 1, 2008.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends §42.2511(a) and §42.302(a-1), Education Code. Adds Subsections (a-1) -(a-3), to Tax Code §11.26. Makes conforming amendments to §403.302, Government Code.

Summary: Provides a tax reduction on the homesteads of individuals who are elderly or disabled and currently have their property taxes frozen by virtue of their elderly or disabled status. HB 1, Third Called Session, 79th Legislature, provided tax reduction for most property owners. However, the taxes on homesteads owned by individuals who are elderly or disabled were frozen at the time they turn 65 or become disabled. The provisions in HB 1 that would have reduced taxes for these homesteads did not become effective because the requisite changes were not made to the state constitution. This bill restores those provisions, and the requisite constitutional amendment proposed in SJR 13 was approved by voters on May 12, 2007, thus permitting the taxes paid on these homesteads to be reduced.

Section 1 of the bill amends Section 11.26, Tax Code. New Section (a-1) makes provisions for reducing the frozen levies on homesteads that first became eligible for the property tax freeze in 2006. New Section (a-2) makes provisions for reducing the frozen levies on homesteads that first became eligible for the property tax freeze prior to 2006. New Section (a-3) provides that a limitation on tax increases provided by new Subsections (a-1) and (a-2) continues to apply until the limitation expires.

Section 2 of the bill amends Section 42.2511(a), to make provisions for state assistance to districts to make up for the tax revenue lost to the reduction in frozen levies.

Section 3 of the bill amends Section 42.302(a-1), to provide that the guarantee level established by the revenue per weighted student available to the Austin Independent School District be set at a level that does not reflect the changes in property values created by the reductions in frozen tax levies.

Section 4 of the bill made conforming amendments to Section 403.302, Government Code, related to the reporting of school district property values by the comptroller of public accounts for the purposes of calculation state aid.

The provisions of the bill first apply to the tax year that begins on January 1, 2007. The comptroller's office will revise property values for the 2006 tax year that will be used in the calculation of state funding for the 2007-08 school year.

Change from current law: Provides tax relief to homesteads of individuals who are 65 years of age or older or who are disabled. These households did not benefit from the property tax reductions that were enacted by the 79th Legislature in 2006.

Effective Date: Change affects the tax year that begins on January 1, 2007.

Action required for 2007-2008 School Year: School districts will be required to provide proportionate tax relief to homesteads that are subject to frozen tax levies. The state will use property values revised by the comptroller to calculate state funding.

Outstanding Issues: The comptroller's office has informed us that the revised values will not be available until October. This may create some issues with regard to the administration of Chapter 41, particularly the final notification of whether a district is subject to recapture. This will also cause the calculations of state aid to fluctuate more during the beginning of the school year than usual.

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Section 42.2516(b) and adds Subsections 42.2516(b-2), (f-1), (f-2), and (f-3), Education Code. Amends Section 42.302(a-1), Education Code.

Summary: This bill amends Section 42.2516, Education Code, to change the calculation of Additional State Aid for Tax Reduction (ASATR) in several ways. New Subsection (b-2) provides technical corrections to calculation of the ASATR for changes in the transportation allotment and the tax credits earned by districts for their participation in tax abatements under Chapter 313, Tax Code.

New Subsection (f-1) requires the commissioner to adopt rules to adjust the amount of a school district's local revenue for the purposes of determining its entitlement to state aid if, in the 2007 tax year or later, the district makes certain changes related to exemptions for taxable property. Adjustments to local collections will be made for school districts that adopt or increase local option homestead exemptions. Adjustments will also be made to the calculation of local revenue if a district's either chooses to enter a new tax abatement or ceases participation in an abatement that was in effect for the 2005 or 2006 tax year. These adjustments apply to school district participation in tax abatements authorized by Chapter 312, Tax Code (tax increment reinvestment zone) and tax abatements authorized by Chapter 311, Tax Code (tax increment fund).

New Subsection (f-2) requires that the rules adopted by the commissioner require the commissioner to determine the difference in the entitlement of a district, or its costs for recapture as appropriate, that adopted an exemption or abatement as prescribed by (f-1) between current law and these new provisions. The commissioner must increase or decrease the districts entitlement to ASATR in an amount substantially equivalent to this difference. Adjustments made by the commissioner under these rules are final and may not be appealed.

Section 2 of the bill amends Section 42.302(a-1), to modify the guaranteed yield level for second level of Tier II for the Foundation School Program (FSP). This yield is determined by the wealth per student in weighted average daily attendance (WADA) for the Austin Independent School District (ISD). This rate applies to the first four cents of maintenance and operations tax levy above the compressed tax rate in 2006-2007 and 2007-2008, and the first six cents above the compressed tax rate beginning in 2008-2009 and thereafter. In the event that the wealth per WADA in Austin ISD declined from the previous year, the higher value from the previous year would be used. This section will become effective on September 1, 2010.

Change from current law: New provisions will allow state funding to reflect actual earnings for the transportation allotment and the tax credits for Chapter 313, Tax Code participation. New provisions would also allow the commissioner to adjust ASATR for changes in local option homestead exemptions and certain types of tax abatements.

Effective Date: The changes in the guaranteed yield are effective September 1, 2010. The Act is effective on September 1, 2007.

Action required for 2007-2008 School Year: Changes to the calculation of ASATR will be implemented for the 2007-08 school year.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, Commissioner

Does this apply to charters? These changes to the calculation state aid will indirectly affect charter schools that have part of their funding based on resident districts.

Does this bill contain a new reporting requirement for TEA/school districts? In order to determine whether districts' participation in tax abatements and the adoption of new or increased local option homestead exemptions, TEA will have to collect relevant information.

Statute Amended or Added: Amends Section 42.2516(b) and adds Section 42.2516(b-1), Education Code. Amends Section 46.003, Education Code.

Summary: Section 1 of the bill amends Section 42.2516, Education Code, to provide a technical correction to the calculation of Additional State Aid for Tax Reduction (ASATR). The amendment would adjust amount of funds received by a school district for the New Instructional Facilities Allotment (NIFA) according to the eligibility of the district for these funds in the current year.

Section 2 of the bill amends Section 46.033, Education Code, to roll forward the eligibility date for the Existing Debt Allotment program to provide state assistance for the repayment of debt service on bonds for which the district levied taxes and made payments on during the 2006-2007 school year would become eligible for assistance under the Existing Debt allocation (EDA) program.

Section 3 of the bill makes conforming amendments to Section 46.034(c), Education Code, related to the new eligibility date for the bonds.

Change from current law: The bill makes a technical correction to the calculation of ASATR for NIFA and expands the eligibility of school district bonds for the EDA program.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Changes will be implemented in the calculation of ASATR. School districts are still required to apply for NIFA funds in order to become eligible for funds. Bonds issued and paid on as of August 31, 2007, will be designated as eligible for the EDA program.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Existing authority in statute is not changed or expanded.

Does this apply to charters? No

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

Statute Amended or Added: Amends Section 43.006, Education Code, Amends Chapter 163, Property Code;

Summary: Relating to the management, investment, and expenditure of state funds and institutional funds and the adoption of the Uniform Prudent Management of Institutional Funds Act.

Change from current law: Replaces the Uniform Management of Institutional Funds Act (1989) with the Uniform Prudent Management of Institutional Funds Act (2006) to guide the management of state funds and institutional funds.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Section 44.031(a) of the Education Code

Summary: Deletes the use of a catalogue purchase as provided by Subchapter B, Chapter 2157, Government Code as one of the purchasing methods allowed for school contracts over \$25,000. Reduces the number of methods from 10 to 9 to competitively procure contracts valued over \$25,000 in the aggregate for each 12 month period.

Change from current law: Currently school districts may use one of ten methods to competitively purchase contracts valued over \$25, 000 in the aggregate for each 12 month period. One of the methods was the use of catalogue purchasing.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: School districts will no longer be able to use catalogue purchasing as one of the methods to competitively procure contracts.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No, unless they have adopted the state purchasing laws.

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

Statute Amended or Added: Amends Section 44.031(m) and 44.033(e), Education Code

Summary : Provides that a school district is not required to aggregate and jointly award purchasing contracts if a purchase is made at the campus level in a school district with a student enrollment of 180,000, rather 190,000 average daily attendance, that has formally adopted a site-based decision-making plan and that delegates purchasing decisions to the campus level.

Change from current law: Under current law, a school district with an average daily attendance of 190,000 or more that has a site-based decision making plan and that delegates purchasing decisions to the campus level, is not required to aggregate and jointly award purchasing contracts. A district that adopts site-based purchasing must adopt a policy to ensure that campus purchases achieve the best value to the district and are not intended or used to avoid the requirement that a district aggregate purchases. Due to declining average daily attendance, a district may not be able to continue to avail itself of these provisions of law, which allow for more efficient procurement methods.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Section 44.041(i) and adds Section 46.008(b), Education Code. The bill also includes amendments and additions to other codes, but those amendments and additions do not have an impact on the operation of the Texas Education Agency and public school districts

Summary: Section 9 of the bill amends Section 44.041(i), Education Code, to provide additional clarification for when and how a district shall designate an architect or engineer when using a job order contract.

Section 10 of the bill adds Section 46.008(b), Education Code, to require that any portable, modular building capable of being relocated that is purchased or leased after September 1, 2007 for use as a school building to be inspected as provided by Subchapter E, Chapter 1202, Occupations Code, to ensure compliance with the mandatory building codes or approved designs, plans, and specifications.

Change from current law: The bill provides additional considerations for school districts when selecting an architect or engineer for a job order contract project. The bill also requires school districts to begin having their purchased or leased portable, modular buildings inspected under provisions set out by the Texas Department of Licensing & Regulation.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: After September 1, 2007, school districts must have any purchased or leased portable, modular buildings inspected under provisions set out by the Texas Department of Licensing & Regulation.

Outstanding Issues: None

Does this bill create a new program? No. The Texas Department of Licensing & Regulation will be required to modify their current inspection program as provided by Subchapter E, Chapter 1202, Occupations Code, to include any portable, modular building capable of being relocated that is purchased or leased by a school district after September 1, 2007 for use as a school building.

Rulemaking Authority? Existing authority in statute is not changed or expanded.

Does this apply to charters? No

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

SB 12

Statute Amended or Added: Amends Section 44.901(b) of the Education Code

Summary: Requires the board of trustees of a school district to establish a goal to reduce annual electric consumption by five percent each year for six years beginning September 1, 2007.

Change from current law: Not applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Board of trustees will have to establish a goal to reduce annual electric consumption by five percent each year for the next six years.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Section 44.901(f) and (i), Education Code

Summary: Changes the 15 years to 20 years for term of the lease/purchase contract and/or the contract with the provider of the energy or water conservation measures for financing purpose.

Section 44.901(i) states that the licensed professional engineer that reviews the cost savings projections must have a minimum of three years of experience in energy calculation and review and not be associated with the offeror. Also the review conducted by the engineer shall focus primarily on the proposed improvements from an engineering perspective, the methodology and calculations related to the cost savings, increases in revenue and efficiency or accuracy of the metering equipment.

Change from current law: Changes the 15 years to 20 years for term of the lease/purchase contract and/or the contract with the provider of the energy or water conservation measures for financing purpose.

Effective Date: Immediate effect. The changes in law made by this Act apply only to an energy savings performance contract entered into on or after the effective date of this Act.

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Adds Sections 44.902 & 44.903, Education Code. Amends Section 2155.068(d), Government Code. Adds Subchapter F, Chapter 2158, Government Code. Adds Section 2165.008, Government Code; Adds Chapter 2264, Government Code. Amends Section 388.005, Health and Safety Code. Amends Section 31.004, Utilities Code. Amends Section 39.905, Utilities Code. Adds Sections 39.9051, 39.9052, 39.911, and 39.914, Utilities Code. The bill also includes amendments and additions to other codes, but those amendments and additions do not have an impact on the operation of the Texas Education Agency and public school districts.

Summary: This bill is related to energy demand, load, efficiency incentives, programs and performance measures. The provisions related to the operations of the Texas Education Agency and public school districts are summarized below.

Section 1 of the bill amends Subchapter Z, Chapter 44, Education Code, by adding Section 44.902 to require the board of trustees of school districts to establish a goal to reduce annual electric consumption by five percent each state fiscal year for six years beginning September 1, 2007.

Section 2 of the bill amends Subchapter Z, Chapter 44, Education Code, by adding Section 44.903 to require school districts to purchase commercially available light bulbs using the fewest watts necessary for instructional facility lighting requirements.

Section 12 of the bill amends Section 388.005, Health and Safety Code, to require school districts and state agencies to establish a goal to reduce annual electric consumption by five percent each state fiscal year for six years beginning September 1, 2007. School districts and state agencies not meeting the goals are required to report that all available measures had been implemented. School districts and state agencies are required to use State Energy Conservation Office (SECO) forms to report progress on meeting goals.

Section 18 of the bill amends Section 31.004, Utilities Code, by adding Subsection (c) to require the Public Utility Commission (PUC) to provide school districts with information on how to finance the installation of solar electric generation panels on school district buildings.

Section 24 amends Subchapter Z, Chapter 39, Utilities Code, by adding Section 39.914 to establish criteria that would provide credits from electric utilities or retail electric providers to school districts that produce surplus electricity from solar electric generation panels on school buildings.

Change from current law: The bill requires school districts and state agencies to establish a goal to reduce annual electric consumption by five percent each state fiscal year for six years beginning September 1, 2007; the bill also requires school districts and state agencies to purchase commercially available light bulbs using the fewest watts necessary for instructional facility lighting requirements.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: School districts and TEA are required to establish a goal to reduce annual electric consumption by five percent each state fiscal year for six years beginning September 1, 2007; school districts and TEA are required to begin purchasing commercially available light bulbs using the fewest watts necessary for instructional facility lighting requirements and school districts and TEA are required to record electricity, water, and natural gas consumption in an electronic repository and report this information on a publicly accessible Internet website with an interface designed for ease of navigation.


Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? TEA must annually report to the State Energy Conservation Office, on forms provided by that office, the entity's efforts and progress in reducing electric consumption by five percent each state fiscal year.



Statute Amended or Added: Amends Section 45.053, Education Code.

Summary: This bill would increase the capacity of the Bond Guarantee Program (BGP) to guarantee school district bonds. Prior to the passage of this legislation, the program was authorized to guarantee up to 2 ½ times its cost or market value, whichever was less.

Change from current law: The bill establishes that the capacity will be based on the cost value; market value will not be considered. The bill also authorizes the State Board of Education (SBOE) to increase that limit up to five times the cost value, providing that the increase is consistent with federal law and regulations and that the bonds maintain the highest credit rating (e.g., AAA). The SBOE is directed to consider the limit at least once per year.

Effective Date: May 18, 2007

Action required for 2007-2008 School Year: SBOE will need to consider whether to increase the limit at least once during the year.

Outstanding Issues: In order to actually increase the limit, changes are required at the federal level. The agency is currently involved in negotiations in Washington, DC that would effect the necessary changes.

Does this bill create a new program? No

Rulemaking Authority? The SBOE currently has rulemaking authority and rules on the BGP. These rules will need to be amended to reflect changes, after the work has been completed at the federal level.

Does this apply to charters? No

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

Statute Amended or Added: Adds Section 45.113, Education Code.

Summary: This bill provides local commissioner's courts with the authority to sell or otherwise dispose of county school lands, to establish an irrevocable trust for the proceeds of the sale, and invest the principal of the trust in any investment permitted for other county funds under Chapter 2256, Government Code. The members of the court must be the sole trustees of the fund. They may not delegate the authority to manage or invest the trust, but they may contract with qualified persons for investment advice.

The principal of the trust constitutes a portion of the county permanent school fund and must be held in perpetuity for the benefit of public schools in the county. The income of the trust constitutes a portion of the county available school fund and may be distributed as permitted by law.

Change from current law: While similar provisions are found in Article VII, Section 6 of the Texas Constitution, the bill codifies the authority of commissioner's courts to manage county school lands and expands the type of investments that can be made with the principal of the county permanent school fund.

Effective Date: June 15, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Section 45.204, Education Code

Summary: Allows districts to select the districts depository bank by either competitive bidding or request for proposals. Adding request for proposals to the selection method gives districts an opportunity to negotiate with the banks prior to signing a contract. The district will be required to use a bank bid blank or a uniform proposal blank in the form prescribed by State Board of Education rule. The bill removes the board of trustees as the party that sends out the bid packets and designates the district to mail to each bank located in the district the bid packet. The bill also gives districts the option to extend their depository contract for two additional two-year terms instead of the current one additional two year term.

Change from current law: Currently school districts must select the district's depository bank by competitive bidding and they may extend a depository contract for one additional two year term.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, State Board of Education

Does this apply to charters? No

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

Statute Amended or Added: Amends Sections 46.006 and 46.034, Education Code.

Summary: This bill makes changes to both the Instructional Facilities Allotment (IFA) and Existing Debt Allotment (EDA) programs that are targeted to school districts that are affected by the Defense Base Closure and Realignment of 1990 (BRAC). The changes affect the ranking process for IFA awards and the ability of districts to generate EDA funding.

Change from current law: The changes made to the IFA program will provide for a 25% reduction in a school district's wealth per student for the purposes of the priority ranking for available funds, if the district can demonstrate that its need for facilities is created by the need to serve the children of military families who are affected by a BRAC transfer. The changes in the EDA program provide that these districts can generate EDA funding based on their current year tax rate. Current law otherwise provides that EDA funding is based on the district's tax rate for the last year of the preceding biennium.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Districts that wish to be considered for these provisions will need to submit documentation to substantiate that they are affected by BRAC.

Outstanding Issues: TEA has not yet determined what documentation will be needed. We will develop guidelines for this process over the summer.

Does this bill create a new program? No

Rulemaking Authority? The commissioner currently has rulemaking authority for both IFA and EDA. Those rules will be amended to reflect these statutory changes.

Does this apply to charters? No

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

Statute Amended or Added: Amends Sections 51.803, 51.804, 51.805(a) and (e), and 51.807, Education Code

Summary: This legislation adds the requirement that students are eligible to apply for admission to any general academic teaching institution, including institutions with an open enrollment policy, only if they have completed the recommended or advanced (distinguished) diploma program, an equivalent program, or the full extent of the recommended program that was available to them at their Texas public high school.

This legislation adds the requirement that students in the top ten percent of their high school graduating class are eligible for automatic admission to institutions of higher education only if they have completed the recommended or advanced (distinguished) diploma program, an equivalent program, or the full extent of the recommended program that was available to them at their Texas public high school. The same restriction applies to students who may, due to a university policy, be eligible for automatic admission if they are in the top 25% of their graduating class.

The completion of such a program and/or the unavailability of any missing requirements must be indicated on all students' transcripts or diplomas. Not later than any given student's junior year, the transcript of that student must indicate whether he has satisfied or is on schedule to satisfy all requirements of the recommended or advanced program (or an equivalent program) or, if not all program components are available to that student due to course scheduling, lack of enrollment capacity or another cause not within the student's control, whether the student has completed or is on schedule to complete that portion of the program that was available. Alternately, students may satisfy ACT's College Readiness Benchmarks on the ACT assessment applicable to them or earned a score of at least 1500 out of 2400 on the SAT, in order to apply.

Additionally, institutions of higher education shall admit any applicant who is the child of a public servant listed in §615.003, Government Code, who was killed or sustained a fatal injury in the line of duty and who meets any minimum requirements of the institution.

Change from current law: Students who opted for the minimum plan in the past were eligible to apply for admission to publicly funded general academic teaching institutions of higher education. Other aspects of the legislation are completely new, including the SAT and ACT scores and the automatic admission of children of public servants killed in the line of duty.

Effective Date: September 1, 2007. These changes take effect for the first time with students applying for admission for the fall 2008 semester. However, the Texas Higher Education Coordinating Board is expected to put into place emergency rules to extend current law until August 31, 2009.

Action required for 2007-2008 School Year: This is the first class of graduates affected by these new requirements. Immediate dissemination of this information to school districts, students, and parents is crucial.

Outstanding Issues: It is unclear whether the ACT or SAT scores alone (without completion of the recommended or advanced high school program, or their equivalent) allow a student to qualify for admission.

Does this bill create a new program? No

Rulemaking Authority? Yes, Texas Higher Education Coordinating Board for automatic admission issues and Commissioner of Education for district notification.

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? Yes, new information must be added to a student's Academic Achievement Record (AAR).

Statute Amended or Added: Amends Section 53.351, Education Code

Summary: HB 1400 corrects certain technical issues in the bond program administered by Texas Public Finance Authority (TPFA) for charters, primarily by requiring the bond issues to comply with certain requirements and clarifying the applicability of existing state bond issuing procedures. The bill also expands the use of the credit enhancement fund, established under the original law and funded with a federal grant, for bonds for charter schools, and authorizes its use for any type of credit support including direct loans.

The proposed change to Sec. 53.351 (a), adding "state," is a technical change to make as clear as possible that the TPFA CSFC bonds are entitled to tax-exempt status.

Subsection (c) authorizes the CSFC to exercise the powers granted to the governing body of an issuer with regard to the issuance of obligations and the execution of credit agreements under Chapter 1371, Government Code (Obligation for Certain Public Improvements). This removes any question that CSFC is an "issuer" that can take advantage of the procedures provided other issues in this chapter.

The bill expands the use of federal funds for bonds issued by other entities and permitting, if the CSFC Board wishes, to use the federal grant for direct loans.

Change from current law: Current law gives TPFA the power to create the CSFC. Through the CSFC, charter schools were given additional access to tax-exempt financing for construction and repair of facilities. However, technical problems in the law were uncovered as a result of these transactions being approved by the Attorney General.

Effective Date: June 15, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Rulemaking authority previously granted to the nonprofit corporation established by the TPFA is modified.

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 48.001, Agricultural Code

Summary: The Department of Agriculture may provide grants to large urban school districts to establish agricultural demonstration projects in elementary and middle schools to give students opportunities to better understand agriculture.

Change from current law: This bill expands the agricultural demonstration grants to middle schools.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: Districts desiring to participate in the agricultural demonstration projects during the 2007-2008 school year must submit an application to the Department of Agriculture to be considered for grant funding.

Outstanding Issues: Eligible middle schools should be informed of the opportunity to participate.

Does this bill create a new program? No

Rulemaking Authority? Yes, Department of Agriculture

Does this apply to charters? Yes, if the charter school is located in a school district with an enrollment of at least 49,000 students.

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

Statute Amended or Added: Amends Article 15.27(c), Code of Criminal Procedure.

Summary: Article 15.27, Code of Criminal Procedure, currently requires law enforcement officials to notify a school superintendent or a person designated by the superintendent of a student's arrest, referral, or detention for certain offenses. The article also requires notice by the prosecuting attorney to the superintendent or the superintendent's designee of a student's conviction, adjudication, deferred prosecution, or deferred adjudication for the same category of offenses. If the student is enrolled in private school, the notices are required to be made to the school principal or the principal's designee. If the student subsequently enrolls in a new school, Article 15.27(c) currently requires a parole or probation office to notify the "new school officials" of the arrest, referral, conviction, or adjudication. SB 230 replaces the term "new school officials" in Article 15.27(c) with the more specific references used elsewhere in Article 15.27 to the superintendent or the superintendent's designee or, in the case of a private school, the principal or the principal's designee.

Change from current law: Currently, Article 15.27(c), Code of Criminal Procedure, requires a notice to the "new school officials" when certain students change schools. SB 230 deletes the term "new school official" and replaces it with the "superintendent or a person designated by the superintendent of the school district to which the student transfers or is returned or, in the case of a private school, the principal or a school employee designated by the principal of the school to which the student transfers or is returned." Article 15.27(c) also currently requires that the "new school officials" notify certain instructional and support personnel. SB 230 deletes that reference to "new school officials" and replaces it with the "superintendent of the school district to which the student transfers or is returned or, in the case of a private school, the principal of the school to which the student transfers or is returned."

Effective Date: June 15, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Does not expressly apply to charters.

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

Statute Amended or Added: Amends Sections 52.02(a) and 52.026(a), Family Code.

Summary: Authorizes a person with authority to take a child into custody to deliver the child to the child's school if school is in session and the principal, the principal's designee, or a peace officer assigned to the campus agrees to assume responsibility for the child for the remainder of the school day.

Change from current law: Statute currently provides several options when a child is taken into custody, including releasing the child to a parent, taking the child to an appropriate detention facility, or taking a child to a medical facility if needed. HB 776 provides the additional option of taking a student to his or her school campus if school is in session.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: No action required. School officials may want to discuss whether principals or their designees or school district peace officers will accept responsibility for children delivered to school when taken into custody and communicate with local law enforcement regarding implementation of HB 776.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? A person with authority to deliver a child to the child's campus under this legislation may deliver the child to an open-enrollment charter campus under the circumstances specified in the legislation.

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

Statute Amended or Added: Adds Section 441.021, Government Code.

Summary: The State Library and Archives Commission and the TEA shall conduct a joint study to identify the needs of public school libraries in this state and determine which needs each agency is best suited to address. Not later than December 31, 2008, the commission and TEA shall submit a joint written report containing the findings of the study and the recommendations of the commission and TEA to the governor, lieutenant governor, speaker of the house of representatives, and appropriate oversight committees of each house of the legislature.

Change from current law: Not Applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: Representatives from the Texas Education Agency and the State Library and Archives Commission will schedule joint meetings to determine needs and next steps in conducting the study and determining their roles in supporting school libraries. The commission and TEA shall submit a joint written report containing the findings of the study and the recommendations of the commission and TEA not later than December 31, 2008.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No.

Does this bill contain a new reporting requirement for TEA/school districts? Yes. A joint report from TEA and TSLAC is due to the legislature December 31, 2008.

Statute Amended or Added: Amends Section 551.001(4), Government Code

Summary: Amends the definition of “meeting” for purposes of the open meetings chapter in the Government Code to exclude the attendance by a quorum of a governmental body at a ceremonial event or press conference if formal action is not taken and any discussion of public business is incidental to the ceremonial event or press conference.

Change from current law: The same exception is currently made for a social function, convention, or workshop and is expanded by this legislation to expressly include a ceremonial event or press conference.

Effective Date: May 22, 2007.

Action required for 2007-2008 School Year: None, but district may want to adjust practices regarding open meeting notices due to change in definition of “meeting.”

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Applies to charters because Chapter 551, Government Code, is expressly applicable to charters under Section 12.1051, Education Code.

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

Statute Amended or Added: Adds Section 552.275, Government Code.

Summary: Permits a governmental body to establish a time limit staff is required to spend processing requests for copies or inspection of public information without recovering costs for personnel time. The time limit may not be less than 36 hours per requestor per fiscal year. If a limit is set, each time a governmental body processes a request, the governmental body must provide the requestor a written statement of the amount of personnel time spent processing the request and a cumulative amount of time spent processing requests from the same requestor over the applicable fiscal year. If a requestor exceeds the time limit, within 10 days of receipt of a request, a governmental body must provide the requestor with a written estimate of the total cost, including materials, personnel time, and overhead expenses, necessary to complete the request. If the governmental body provides written notice to the requestor within the initial 10-day period that additional time is needed to create a cost estimate, the governmental body may have an additional 10 days from the date of the written notice to provide the cost estimate. The requestor then has 10 days from the date the cost estimate is provided to submit a written statement agreeing to pay the lesser of the actual costs incurred in processing the request or the amount stated in the governmental body's estimate. No such written response from the requestor means the requestor has withdrawn the request. The governmental body retains the ability to reduce or waive charges for providing public information.

Change from current law: Not Applicable

Effective Date: June 15, 2007

Action required for 2007-2008 School Year: None; a governmental body is not required to establish a time limit staff is required to spend processing requests for copies or inspection of public information without recovering costs for personnel time.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

Does this bill contain a new reporting requirement for TEA/school districts? If a governmental body establishes a time limit, the governmental body will have to track the cumulative amount of personnel time spent processing requests from the same requestor over an applicable fiscal year.

Statute Amended or Added: Amends Section 552.301 and Adds 552.327, Government Code.

Summary: Section 552, 327 authorizes a court to dismiss a suit challenging a public information decision made by the attorney general if all parties to the suit agree to the dismissal; and the attorney general determines and represents to the court that the requestor has voluntarily withdrawn the request for information in writing or has abandoned the request.

Section 552.301 authorizes a governmental body to request another public information decision from the attorney general concerning the precise information that was at issue in a prior public information decision if a suit challenging the prior decision was timely filed against the attorney general concerning the precise information at issue; the attorney general determines that the requestor has voluntarily withdrawn the request for the information in writing or has abandoned the request; and the parties agree to dismiss the lawsuit.

Change from current law: After a suit challenging a public information decision is filed by a governmental body or a third party against the Office of the Attorney General, the requestor sometimes withdraws its request for the information in the suit. In this situation, it is a waste of judicial and party resources to continue litigation. However, under current Section 552.301(f) Government Code, a governmental body is prohibited from asking for another ruling if it has received an attorney general ruling that requires disclosure and a court has not made a final decision. In the situation where the requestor withdraws the request, this bill allows the court to dismiss the case but also allows the governmental body to submit a subsequent request in the event a new request for the same information is made.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Applies to charters because Chapter 552, Government Code, is expressly applicable to charters under Section 12.1051, Education Code.

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

Statute Amended or Added: Adds Chapter 2264, Government Code.

Summary: The bill applies to the political subdivision of the state which includes school districts. The bill states that the system of accounting for and reporting the financial activities of the school must be consistent with state financial laws; may not misrepresent the financial activities and must follow the statutory standards when in conflict with other accounting bases. The bill allows political subdivisions to account for and report selected types of financial activities on a statutory modified accrual bases for government-wide and fund-level internal and external financial statement reporting. The bill states that following the statutory accounting principles satisfies another statute that requires accounting and reporting according to GAAP. The bill allows the state and its political subdivisions to account for or report other post-employment benefits (OPEB) in accordance with the statutory accounting principles in this chapter. The Comptroller shall maintain a website to provide guidance to the state and its political subdivision in implementing the requirements and goals of this subchapter.

Change from current law: Yes, current law to report other post-employment benefits is to follow GAAP. School districts are not required to follow this new ruling unless they choose to.

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Adds Section 662.152, Government Code

Summary: Designates the 2nd week in September as obesity awareness week to raise awareness of the health risks associated with obesity and to encourage Texans to achieve and maintain a healthy lifestyle.

Change from current law: None

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: Not Applicable

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

HB 1045

Statute Amended or Added: Adds section 662.103, Government Code

Summary: Designates the month of April as 'Child Safety Month'.

Change from current law: Not Applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters?

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

Statute Amended or Added: Adds Sections 114.001, Health and Safety Code

Summary: Requires the commissioners of agriculture, state health services, and education, or a designated staff member of each, to meet at least once a year as an interagency council to discuss the status of agency programs that promote better health and nutrition to prevent obesity among children and adults in this state and also to consider the feasibility of tax incentives for employers who promote activities designed to reduce obesity in the workforce. Outcomes, resolutions and proposals are then required to be submitted to the Governor.

Change from current law: Not applicable

Effective Date: Immediate effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? Creates a new council

Rulemaking Authority? No

Does this apply to charters? Not Applicable

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

Statute Amended or Added: Adds Sections 168.010 and 168.011, Health and Safety Code

Summary: Texas Department of State Health Services (DSHS), in consultation with TEA, shall adopt criteria for the development of a pilot program that is designed to prevent and detect Type 2 diabetes for a school district located in the international border region by measuring the height, weight, and blood glucose levels of each student at the beginning of the school year and at another appropriate time during the implementation of the program.

Change from current law: Not applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: TEA will need to consult with DSHS to develop pilot criteria.

Outstanding Issues: None

Does this bill create a new program? Yes

Does this bill require a new report? Yes, a report on effectiveness by district is required from the entity that administers the measurements.

Rulemaking Authority? None

Does this apply to charters? Yes, charters could apply to be part of the pilot.

Does this bill contain a new reporting requirement for TEA/school districts? Yes. Districts that participate in the pilot shall report collected data to the entity administering the program.

Statute Amended or Added: Amends Section 140.006(d), Local Government Code.

Summary: Aligns the Local Government Code 140.006(d) with TEC 44.008(d) which was amended by the 77th Legislature effective September 1, 2001. The publication date of the financial statement and the due date of the financial audit will be the 150th day after the date the fiscal year ends.

Change from current law: Yes, the publication date of the financial statements was 120 days after the date the fiscal year end.

Effective Date: Immediate Effect

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Sections 176.001, 176.002, 176.003, 176.004, 176.005, 176.006, 176.009, and adds Sections 176.011 and 176.012, Local Government Code

Summary: Adds a number of definitions, mostly in response to GA-0446:

- The definition of "family member" now excludes a person who is related by affinity only as provided by Section 573.024(b), Government Code.
- The definition of a "a local governmental entity" now includes an open-enrollment charter school, making the entire Chapter apply where it did not.
- The definition of "local government officer" now includes an employee of a local governmental entity if the reporting requirements are extended to that employee by the local governmental entity.
- The definition of a "records administrator" includes another person designated by the local governmental entity to maintain statements and questionnaires.
- The bill defines "services" to mean skilled or unskilled labor or professional services, and provides that it applies to a person who enters or seeks to enter into a contract with a local governmental entity.

The bill requires a local government officer to file a conflicts disclosure statement if the person enters into a contract or the local governmental entity is considering entering into a contract and the person has a taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that the contract has been executed or the local governmental entity is considering entering into a contract with the person or has given to the local government officer or a family member one or more gifts that have an aggregate value of \$250.

The bill exempts a local government officer from filing a conflicts disclosure statement in relation to a gift accepted by the officer or a family member of the officer if the gift is given by a family member of the person accepting the gift; a political contribution; or food, lodging, transportation, or entertainment accepted as a guest.

It provides an exception to its penal sanctions for non-compliance where the required disclosure statement is filed no later than the seventh day after receiving notice from the local governmental entity of the alleged violation.

The bill clarifies that a gift must be "accepted" instead of "received" in order to trigger its provisions, and excludes certain gifts.

It authorizes the local governmental entity to extend the reporting requirements of Chapter 176 to any employee who has the authority to approve contracts on behalf of the local governmental entity.

The bill specifies that an employee must "knowingly" fail to comply with the reporting requirements before the employer may reprimand, suspend, or terminate the employee.

It requires a conflict of interest questionnaire if a person has a business relationship with the local governmental entity and has an employment or other business relationship with an officer or a family member or has given an officer or a family member gifts that have an aggregate value of \$250, excluding certain gifts given by family members.

It provides that the local governmental entity has no duty to ensure that vendors file the questionnaire and the contract is not voided by the failure to file the questionnaire.

The bill provides that a local governmental entity is not required to maintain an Internet site to provide access to statements and questionnaires.

It requires a records administrator to maintain the statements and questionnaires in accordance with the local governmental entity's retention schedule and prohibits the local governmental entity from disclosing information that is excepted from disclosure under Chapter 552, Government Code.

Change from current law: Local Government Code Chapter 176 was enacted in 2005 to provide access to information concerning business relationships between local government officials and vendors that contract with local government entities. The manner by which information about these business relationships are disclosed was the subject of extensive interpretation and clarification by the Attorney General in GA-0446.

HB 1491 codifies many of the rulings in GA-0446, and makes Chapter 176 apply to open-enrollment charter schools. Prior to passage of this bill, Chapter 176 applied to districts but not to charters.

Effective Date: May 25, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: Training of and implementation by charter operators.

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 395.022, Local Government Code.

Summary: This legislation prohibits political subdivisions or other governmental entities from charging impact fees unless the board of trustees consents to the payment of the fees by entering a contract with the political subdivision that imposes the fee. The contract may contain terms that the board considers advisable to provide for the payment of the fees.

Change from current law: Prior to the passage of this legislation, political subdivisions and other governmental entities could charge impact fees to school districts.

Effective Date: May 25, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? None

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Sections 51.011, 51.121, 51.401, 51.402, 51.4021, 51.412 and adds 51.413, Natural Resources Code. Adds Section 43.005, Education Code

Summary: Provides the School Land Board with additional authority to manage and control land, and retain mineral and royalty interests and other revenue received from real estate. Creates a special real estate fund and would allow the School Land Board to directly distribute funds to the Available School Fund. It would also allow the State Board of Education to transfer funds from the financial assets of the Permanent School Fund to the Real Estate Special Fund.

Change from current law: Not applicable

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? No

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

Statute Amended or Added: Amends Section 21.12, Penal Code

Summary: It is a criminal offense for an employee of a public or private school to have sexual contact with at student at that school. This amendment specifies that the identity of the student victim of this offense may not be released and is not public information under the Public Information Act.

Change from current law: The victim's identity was not previously specifically prohibited from disclosure.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority No

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Sections 313.007, 313.025, 313.026, 313.104, Tax Code. Sections 16(a) and (d), Chapter 1, Acts of the 79th Legislature, 3rd Called Session, 2006, are repealed.

Summary: The bill would provide for the continuation of the Texas Economic Development Act under section 313.007, Tax Code, and adjust the duties of the Comptroller of Public Accounts (CPA) and the Texas Education Agency (TEA) under that Act.

Change from current law: Amends current law to extend the effective date of the Texas Economic Development Act to December 31, 2011, and repeals the corresponding provisions made in HB3, 79th Legislature Third Called Session that extended the Act to December 31, 2011.

Section 2 repeals the HB3 Section 16(a) and (d) provisions that required TEA to conduct economic impact evaluations at the request of the governing body of school districts who are considering an application for an appraised value limitation. Section 313.025 (b) as amended by HB1470 assigns the responsibility for conducting economic impact evaluations to the CPA. The CPA may charge a fee to the school district for performing the economic impact evaluation.

New Subsection (b-1) requires the CPA to provide one copy of the application to TEA. TEA is required to determine the impact that the added infrastructure will have on the region and the effect that the applicant's proposal will have on the number or size of the school district's instructional facilities, as required to be included in the economic impact evaluation by Sections 313.026(a)(6) and (9). No later than 45 days after the CPA receives the application for a limitation on appraised value, TEA is required to submit a written report containing TEA's determinations to the CPA. A third person contracted by the CPA to conduct an economic impact evaluation of an application is not required to make a determination that the Texas Education Agency is required to make and report to the CPA under this subsection.

Section 3 adds Section 313.025 (f-1) to allow the governing body of a school district to waive the new jobs creation requirement in Section 313.021(2)(A)(iv)(b) or 313.051(b) and approve an application if the governing body makes a finding that the jobs creation requirement exceeds the industry standard for the number of employees reasonably necessary for the operation of the facility of the property owner that is described in the application.

Section 4 of this bill amends Section 313.026 of the Tax Code by adding (b) to state that the comptroller's recommendations shall be based on the criteria listed in Subsections (a)(2)-(9) and on any other information available to the comptroller, including information provided by the governing body of the school district under Section 313.025(b). New Section 313.026 (c) does not apply to CPA recommendations made before December 31, 2007 and (c) expires on December 31, 2008.

Section 5 amends 313.104 (B) Tax Code to extend from one to three years, the tax credit period that begins on or after the date the person's eligibility for the limitation under Subchapter B or C expires. A person is entitled to a tax credit, for those taxes that were not credited against the person's taxes under Paragraph (A) in a tax year covered by Paragraph (A), except that the amount of a tax credit granted under this paragraph in any tax year may not exceed the total amount of ad valorem school taxes imposed on the qualified property by the school district in that tax year.

Section 6 repeals HB3, 79th 3rd C.S. Sections 16(a) relating to the expiration date of the Texas Economic Development Act and 16(d) relating to TEA's responsibility for conducting economic impact analysis.

Section 7 identifies the law applicable to appraised value limitation and school tax credits applications based on the date of filing and subsequent action by the governing body of a school district.

Effective Date: Immediately except for Section 2 which is effective December 31, 2007.

Action required for 2007-2008 School Year: None

Outstanding Issues: Adopt commissioner rules for Education Code 42.2515 relating to additional state aid (to reimburse or replace) school tax credits for taxes assessed against a property that is eligible for the limitation on appraisal value, and

Develop the work plan/report template for determining the impact that the added economic development project infrastructure will have on the region and the effect that the applicant's proposal will have on the number or size of the school district's instructional facilities. TEA is required to prepare and submit a written report to the CPA that examines the of the added infrastructure.

Does this bill create a new program? No

Rulemaking Authority? This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency beyond the authority already contained in Texas Education Code, Section 42.2515.

Does this apply to charters? No

Does this bill contain a new reporting requirement for TEA/school districts? Yes, TEA is required to prepare and submit a written report to the CPA that examines the impact that the added infrastructure will have on the region and the effect that the applicant's proposal will have on the number or size of the school district's instructional facilities. This report will be included in the economic impact evaluation performed by the CPA.

Statute Amended or Added: Amends Sections 521.022(d), 541.201, 545.001, 545.413(a), Transportation Code. Adds Sections 545.426, 547.7012, Transportation Code. Adds Section 34.0021, Education Code.

Summary: The amendment to Section 521.022(d), Transportation Code, requires that minimum standards for bus drivers adopted by the Department of Public Safety (DPS) prohibit a person from being licensed as a bus driver if the person has been convicted of certain intoxication-related offenses within the 10-year period preceding the date of the background check on that person's driving record.

The amendment to Section 541.201, Transportation Code, adds Subsection (11-a) to define a "multifunction school activity bus" as a motor vehicle used to transport school children on school-related activities that was manufactured in compliance with federal safety standards for school buses on the date of manufacture, other than the standards that require buses to display alternately flashing red lights and to be equipped with movable stop arms. The term does not include a school bus, school activity bus or school-chartered bus, or a bus operated by a mass transit authority. A conforming amendment is made to Subsection (15).

The amendment to Section 545.001, Transportation Code, adds a definition that indicates that the term "school bus" includes a multifunction school activity bus.

The amendment to Section 545.413(a), Transportation Code, adds a new Subsection (a)(2) that creates an seat belt offense if the driver of a school bus does not wear a seat belt, if the bus is equipped with a seat belt for the operator's seat.

New Section 545.426, Transportation Code, prescribes certain prohibitions related to the operation of a school bus. The bus may not operate if the door of the school bus is open or the number of passengers on the bus exceeds its manufacturer's design capacity. The bus drivers are required to prohibit passengers from standing in the bus or from sitting on the floor of the bus or in any location that is not designated as a seat.

New Section 547.7012, Transportation Code, prohibits the use of National School Bus Glossy Yellow paint on multifunction school activity buses.

New Section 34.0021, Education Code, requires school districts to conduct at least two training sessions per year for students and teachers concerning procedures for evacuating a school bus during an emergency. One training session must occur in the fall, and the other session must occur in the spring. A portion of each session must occur on a school bus and the sessions must last at least one hour. The evacuation training must be based on the most recent edition of the National School Transportation Specifications and Procedures adopted by the National Congress on School Transportation or a similar safety manual. The school district must provide to DPS a record that certifies that the training was conducted within 30 days of completing the training. The DPS is provided with rulemaking authority.

Change from current law: The bill provides for new standards for bus drivers and a definition of multifunction school activity buses, and prohibits the multifunction school activity buses from being painted National School Bus Glossy Yellow. The bill also creates new requirements for school districts to conduct bus evacuation training and to certify that training to DPS.

Effective Date: September 1, 2007; Evacuation training to begin in 2007-08

Action required for 2007-2008 School Year: Districts must conduct bus evacuation training. Districts must ensure that their multifunction school activity buses are not painted National School Bus

Glossy Yellow. Districts must also ensure that bus drivers are complying with the new provisions regarding the operation of school buses.

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? Yes, Department of Public Safety

Does this apply to charters? Yes

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

Statute Amended or Added: Amends Section 9, Chapter 22, Acts of the 57th Legislature, 3rd Called Session, 1962 (Article 6228a-5, Vernon's Texas Civil Statutes)

Summary: Allows districts to refuse to enter into a salary reduction agreement with an employee if the investment product vendor does not comply with the school's requirements; the school imposes administrative requirements uniformly on all vendors; and the requirements are necessary for the school to comply with the Internal Revenue Code.

Change from current law: Currently school districts may not refuse to enter into a salary reduction agreement with an employee if the investment product is an eligible qualified investment.

Effective Date: September 1, 2007

Action required for 2007-2008 School Year: None

Outstanding Issues: None

Does this bill create a new program? No

Rulemaking Authority? No

Does this apply to charters? Yes

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

Briefing Book Subject Index listing:

Absence or Excused Absence	HB 2455	25
Absences or Excused Absences	HB 1187	26
Academic Study of the Bible	HB 1287	39
Admission	HB 1137	20
Agriculture Demonstration Project	SB 827	120
Amateur Radios	SB 11	79
Article 15.27 Notice	SB 230	121
Assessment	SB 1031	91
Assessment	HB 3259	95
Attendance	HB 1137	20
Attendance	HB 2455	25
Attendance	HB 1187	26
Automated External Defibrillator	SB 7	89
Available School Fund	SB 890	115
Awards and recognition	SB 1433	4
Background Check	SB 9	17
Best Practices Clearinghouse	HB 2237, §1	1
Bonds	SB 389	114
Career and Technical Education	HB 2383	54
Career and Technical Education,	HB 2383	54
Career and Technology Education	HB 3485	33
Celebrate Freedom Week	HB 708	55
Chapter 41	HB 3226	100
Child abuse training	SB 1456	88
Child Safety Month	HB 1045	129
Classroom Placement	HB 314	21
College Admission	HB 3826	118
College Advanced Placement Test	HB 1844	57
College and workforce readiness	HB 2237, §11	51
College Credit in High School	SB 282	38
College Preparatory Courses	HB 2237, §8	41
College Readiness Standards	HB 2237 §7	36
Common School Districts	HB 606	11
Communities In Schools	HB 1609	68
Compensatory Education	HB 2237, §12	59
Compulsory Attendance	HB 2237, §5 & 16	27
Compulsory Attendance	SB 1161	28
Compulsory Attendance	HB 2884	29
Compulsory Attendance, School Board Policy	HB 566	24
Counseling – Students Affected by Dating Violence	HB 121	81
Course Credit	HB 1137	20
Criminal History Check	SB 9	17
DAEPs	HB 2532	77
Data disaggregated by instructional method	SB 1871	37
Diabetes Intervention Pilot	HB 3618	131
Diploma	HB 1563	46
Disciplinary Alternative Education Program	HB 426	76
Discipline / Student Code of Conduct – Rules and Penalties	HB 278	82
Disclosure Statement	HB 1491	133
District Improvement Plans – Dating Violence	HB 121	81
Dropout intervention	HB 2237, §2	2

Dropout Plan	HB 2237, §12	59
Dropout Prevention	HB 2237, §1	1
Dropout prevention	HB 2237, §2	2
Dropout Prevention	HB 2237, §11	49
Dropout prevention	HB 2237, §11	50
Dropout prevention	HB 2237, §12	59
Dropout prevention programs	HB 2237, §11	51
Dropout recovery—best practices	HB 2237, §2	2
Dropout reentry	HB 2237, §2	2
Dual Language Education Pilot Program	HB 2814	35
Early High School Graduation Scholarship Program	HB 2383	54
Early High School Graduation Scholarship Program	HB 2383	54
Economic Impact Evaluation	HB 1470	138
Education Go Get It Week	HB 2237, §12	56
Educational Diagnosticians	SB 158	12
Elections	HB 945	6
Elections	SB 670	7
Elections	HB 606	11
Electronic Courses	SB 1788	61
Electronic textbooks and technological equipment	SB 370	19
Emergency Management	SB 11	79
Employers for Education Excellence	SB 1433	4
End-Of-Course testing	SB 1031	91
Energy Savings Performance Contracts	SB 831	111
Enrollment	HB 314	21
Exhibiting Firearms (Parking areas/school bus)	HB 2112	84
Exit-level assessment	SB 1031	91
Expulsion	HB 8	22
Expulsions	HB 2532	77
Extracurricular Activities	HB 208	66
Extracurricular Activities	SB 82	69
Extracurricular Activities Participation	SB 1517	65
Facilities Funding	SB 389	114
Facilities Funding	SB 962	117
Facilities Funding	SB 883	135
Field-testing	SB 1031	91
Financial Accounting and Reporting (OPEB)	HB 2365	127
Fiscal Management	SB 12	110
Foundation School Program	HB 828	104
GPA Computation	HB 3851	45
Graduation for students with disabilities	SB 673	44
Graduation requirements	SB 1031	91
Health and Safety	SB 1504	83
High School Allotment	HB 2237, §12	59
High School Completion and Success	HB 2237, §14	99
High School Completion and Success Initiative Council;	HB 2237, §14	99
High School Innovative Grants	HB 2237, §13	98
High School Project	HB 2237, §11	51
Higher Education and Workforce Readiness Programs	HB 2237, §12	58
Higher Education Tuition and Fees	HB 1187	26
Homeland Security	SB 11	79
Home-school students	HB 1844	57
Human Papilloma Virus	HB 1098	87

Immunizations	HB 1059	86
Intensive Algebra Intervention Pilot	HB 2504	48
Intensive Mathematics Intervention Pilot	HB 2504	48
Intensive Program of Instruction	HB 2237, §9	42
Interagency Council on Obesity	SB 556	130
international assessments	HB 3259	95
Internet Safety	SB 136	85
Internet Safety	HB 3171	90
Investment Products	HB 2341	142
Juvenile Board	HB 3092	97
Juvenile Justice	HB 2884	29
Juvenile Residential Facilities	HB 425	75
Juvenile System	HB 776	122
Language Intervention Pilot Program	HB 1270	47
Law Enforcement	HB 2237, §5 & 16	27
Law Enforcement	SB 230	121
Law Enforcement	HB 776	122
Mathematics Instructional Coaches Pilot	HB 2237, §4	16
Mathematics Professional Development	HB 2237, §4	16
Multiple Birth Siblings	HB 314	21
Nature Science Curriculum	HB 1700	40
Nepotism	HB 2563	5
Obesity	SB 556	130
Obesity Awareness	HB 2313	128
Open Meetings	SB 1306	13
Open Records	HB 2564	125
Paging Devices	SB 11	79
Parental Notification Requirements	SB 282	38
Paternity Awareness Program	HB 2176	31
Permanent School Fund	HB 3699	136
Personal Graduation Plan	HB 2237, §10	43
Physical Activity	SB 530	32
Physical Fitness	SB 530	32
Posthumous Award of Diploma	HB 1563	46
Prekindergarten	HB 1137	20
Prekindergarten	SB 758	53
Professional Development Grants	HB 2237, §4 & 6	15
Property Tax Reduction	HB 5	103
PSAT/NMSQT	HB 1844	57
Public Information	HB 2248	126
Public school library services	SB 913	123
Public school or preschool programs	SB 1871	37
Publication of Annual Financial Statement	HB 978	132
Purchasing	HB 273	72
Purchasing	HB 2918	107
Purchasing—Campus Level	HB 2626	108
Reading Assessment	HB 2237, §6	15
Reading Pilot Program	HB 1270	47
Recommended High School Program	HB 3826	118
Regional Education Service Centers	HB 2563	5
Religious Expression	HB 3678	30
Residential Facility	HB 3092	97
Safety Planning – Dating Violence	HB 121	81

Safety Training	SB 82	69
School Attendance	HB 776	122
School Board Policy	HB 566	24
School Boards	HB 2563	5
School Boards	SB 1306	124
School District Depositories	HB 2411	116
School District Employees	SB 135	8
School District Employment Policy	SB 135	8
School District Grievance Policy	HB 1622	9
School District Policy	HB 3678	30
School District Superintendents	HB 189	10
School District Trustees	HB 945	6
School District Trustees	SB 670	7
School District Trustees	SB 135	8
School District Trustees	HB 606	11
School Facilities	HB 2237, §3 & 15	3
School Facilities	HB 1922	105
School Facilities	HB 1886	109
School Facilities	HB 3693	112
School Finance	HB 3226	100
School Finance	HB 1922	105
School Finance	HB 1886	109
School Finance	HB 3693	112
School Start Date	HB 2171	23
School Transportation	HB 3560	70
School Transportation	HB 323	73
School Transportation	HB 3190	140
School Year	HB 2171	23
Seat Belts	HB 323	73
Security Audits	SB 11	79
Sex Offenders	HB 2532	77
Sexual Misconduct	HB 3659	137
State Accountability	SB 1031	91
State Funding	HB 828	104
State Funding	HB 1922	105
State Funding	HB 1886	109
State Funding	HB 3693	112
Steroid testing	SB 8	67
Student Code of Conduct – Dating Violence Policies	HB 121	81
Student Code of Conduct – Exhibiting firearms (Parking areas/school bus)	HB 2112	84
Student data,	SB 1871	37
Student Discipline	HB 8	22
Student Transfer	SB 230	121
Student Transfers	HB 8	22
Summer programs	HB 2237, §11	51
Superintendents	HB 2563	5
Supplemental Educational Services	HB 2237, §9	42
Supplemental Technology-based instruction in Rural School Districts	HB 2864 HB 2237 §12	60
Supplementary instruction	HB 2237, §11	50
Taps	HB 1187	26
Taxes	HB 1010	101

Teacher Misconduct	SB 606	13
Teacher Reading Academies	HB 2237, §4	15
Technology	HB 2237, §11	50
Technology intervention	HB 2237, §11	50
Technology literacy assessment pilot	HB 2503	94
Telecommunications Infrastructure Fund	HB 735	64
Temporary Certificate	SB 1912	14
Testing	HB 1844	57
Texas Governor's Schools	HB 1748	52
Texas Public Finance Authority	HB 1400	119
Texas School Safety Center	SB 11	79
Textbooks/instructional materials	HB 188	63
TJPC	HB 3092	97
Training – Dating Violence (students, staff, and parents)	HB 121	81
Transition Programs	HB 2237, §11	51
Transportation	SB1713	71
Transportation	HB 273	72
Transportation	HB 323	73
TYC	HB 3092	97
Uniform Prudent Management of Institutional Funds Act	HB 860	106
University Interscholastic League	HB 208	66
Virtual School Network	SB 1788	61