



## Senate and House Floor Calendars Friday, May 15, 2009

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### SENATE INTENT CALENDAR MONDAY, MAY 18, 2009

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#### [SJR 43](#)

Author: Lucio

Authorizing the imposition of an additional ad valorem tax for emergency services districts, subject to voter approval, at a rate not to exceed five cents for the acquisition of land, equipment or apparatus or capital improvem

*Remarks:* As filed: A constitutional amendment to allow for the imposition of ad valorem tax on properties situated within emergency services districts. This tax must not exceed 10 cents on the \$100 valuation for the operating and capital support thereof and five cents on the \$100 valuation for the acquisition of land, equipment, or apparatus or the construction of capital improvements.

#### [SB 688](#) (S)

Author: Wentworth

Relating to the mitigation of the impact of residential development in public school districts.

*Remarks:* C.S.S.B: If new plat or replat for residential development includes plans for 1,000 or more single-family housing units and the commissioner determines that the development will greatly increase elementary age student enrollment, then the school district may purchase, for real market value, a percentage of real property acreage within the residential development site for construction of a new elementary school. A minimum of 15 acres must be allowed for purchase. The commissioner shall only make such a determination if requested to do so by the district. The developer may not be issued a permit to build through the county or municipality until it demonstrates a transfer of at least 15 acres of real property to the school district, as per the new section, or

provides a waiver from the school district to waive the district's right to a minimum of 15 acres. Land acquired may only be used by the district for construction of an elementary school and will be in addition to any other land entitled to the district.

[SB 1778](#)

Author: Harris

Relating to the eligibility of property used in connection with a data center for economic benefits authorized by the Texas Economic Development Act.

*Remarks:* As filed: Adds data center to list of eligible projects and defines data center as an establishment primarily engaged in providing electronic data processing and storage services.

[SB 2083](#) (S)

Author: Shapiro

Relating to surveys concerning school district and open-enrollment charter school special education programs and grants to district, campuses, and open-enrollment charter schools that perform well on the surveys and other indicators.

*Remarks:* C.S.S.B.: TEA shall develop an Internet-based data collection platform that each school district and open-enrollment charter school shall use to coordinate survey completion regarding the schools' special education programs and these surveys shall be used to: 1)survey each student, parent or guardian of a student enrolled in a special education program; 2)each student who has withdrawn from a special education program.

The agency shall develop questions and structure the survey so that it may be completed in fifteen minutes or less. The survey shall be designed to include information regarding: 1)Whether the survey participant believes the student is progressing academically in order to live independently and working competitively; 2)Whether the student has an appropriate understanding of their educational rights afforded them under federal law; 3)If the survey participant is satisfied with the admission, review, and dismissal committee meetings and conflict resolution; 4)Disaggregated information regarding the student's type of disability, including the student's age and grade level.

TEA shall develop a statewide Internet-based information system that is posted on the internet that provides current and historical survey results for each school district, campus, and open-enrollment charter school that are disaggregated by students' type of disability and by students' preschool or grade-level range or age. The information system must rank districts, campuses, and schools among, as determined by the agency, peer institutions in this state and, if practicable, nationally,

TEA shall develop and each school district or open-enrollment charter school shall provide to the parent of each student

participating in the district's or school's special education program, before each a special education snap shot.

To the extent funds are available, the agency shall award grants to school districts, campuses, and open-enrollment charter schools with high rankings under the information system. The total amount of grant awards may not exceed \$2 million per year.

[HB 77](#)

Author: Flynn Sponsor: Nichols  
Relating to the collateralization of certain public funds.

*Remarks:* As filed: As an alternative to collateralization, the comptroller by rule shall establish a program for centralized pooled collateralization of deposits of public funds and for monitoring collateral maintained by participating institutions. The rules must provide that deposits of public funds of a county are not eligible for collateralization under the program.

[HB 829](#)

Author: Hochberg Sponsor: Shapiro  
Relating to the jurisdiction of the commissioner of education to hear appeals arising under the school laws of this state.

*Remarks:* House Engrossed: A person is not required to appeal to the commissioner before pursuing a remedy under a law outside of Title 1 or this title to which Title 1 or this title makes reference or with which Title 1 or this title requires compliance.

[HB 962](#)

Author: Guillen Sponsor: Zaffirini  
Relating to the purchase of library goods and services by public junior colleges.

[HB 1332](#)

Author: Maldonado Sponsor: Gallegos  
Relating to responsibility for public school textbooks and technological equipment and to failure by students to return textbooks or technological equipment.

*Remarks:* House Engrossed: Adds electronic textbooks and technological equipment to the section of the Education Code that establishes responsibility requirements that students and parents have for textbooks. It also applies to students who return equipment but adds the language that it must be "in an acceptable condition."

[HB 2263](#)

Author: Eissler Sponsor: Shapiro  
Relating to extending the high school innovation grant initiative to middle and junior high schools.

*Remarks:* House Engrossed: Extends the high school innovation grant for use by middle and junior high schools.

[HB 2628](#)

Author: Rodriguez Sponsor: Watson  
Relating to an exemption from ad valorem taxation of certain property owned by a charitable organization and used in providing housing and related services to certain individuals.

*Remarks:* House Engrossed: An organization that is organized exclusively to perform religious, charitable, scientific, literary, or educational purposes and engaged in providing housing and related services to individuals who are unaccompanied and homeless and have a disabling condition and have been continuously homeless for a year or more or have had at least four episodes of homelessness in the preceding three years can qualify for exemption from taxation of buildings and property.

[HB 2729](#)

Author: Pitts Sponsor: Ogden  
Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act.

[HB 2893](#)

Author: Hochberg Sponsor: Shapleigh  
Relating to the technology demonstration sites project.

*Remarks:* House Engrossed: Changes the "technology immersion pilot project" to the "technology demonstration sites project." TEA may by rule establish the technology demonstration sites project to demonstrate the use of technology for improving teaching and learning, using digital tools and resources to extend learning opportunities from school to home, and exemplify instructional practices and lessons that support academic learning in the classroom and at home.

The demonstration site project shall leverage existing home computing devices or provide access through electronic device check-out options to extend learning at home. Electronic devices shall be made available to each student in a participating school to allow students at school and home to implement the use of software, on-line courses, and other appropriate learning technologies that have been shown to improve academic achievement.

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## DAILY HOUSE CALENDAR

### MONDAY, MAY 18, 2009

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\*\*\* GENERAL STATE CALENDAR \*\*\*  
SECOND READING

[SB 68](#) (A) Author: Nelson Sponsor: Darby  
Relating to licensing and inspection requirements of the Department of Family and Protective Services.

*Remarks:* Senate Engrossed: This bill provides a definition for what constitutes a day care facility and details rules and regulation and lays out penalties for non-compliance. The bill adds a section to lay out rules regarding court orders and inspections of day care facilities.

The substitute adds the definition for "school-age programs." It also removes the section that describes child care excluded from this bill specific to care that occurs within a family home for sibling groups. The substitute also provides additional criteria and specificity regarding the types of programs that do not fall under the definition of day-care (before and after school programs offered by educational facilities accredited by TEA, the Southern Association of Colleges and Schools, or an accrediting body that is a member of the Texas Private School Association are listed as entities that are not regulated under this section).

House Committee Amendments: These include having the executive commissioner adopt specific rules and minimum standards for a facility located in a temporary shelter in which the adult or child may temporarily reside. Another amendment requires convening a temporary work group to advise the department regarding proposed standards.

[SB 283](#) Author: Nelson Sponsor: Shelton  
Relating to the membership and activities of local school health advisory councils.

*Remarks:* Senate Engrossed: The board of trustees shall appoint members to the local school health advisory council on which a majority of members must be persons who are parents of students enrolled in the district and are not employed by the district, one of who shall serve as chair or co-chair of the council. The original bill allowed for the council to appoint both a chair and co-chair from these members.

Additional appointments can be made from the following groups: public schools teachers, public school administrators, district students, health care professionals, the business community, law enforcement, senior citizens, the clergy, and nonprofit health organizations. Additionally, the advisory council shall meet at least four times annually and submit an annual written report to the board of trustees that includes recommendations for district health curriculum and an explanation of the council's activities. Reporting requirements must be fulfilled by April 1, 2010.

[SB 395](#) Author: Lucio Sponsor: Lucio III

Relating to creation of the Early Childhood Health and Nutrition Interagency Council.

*Remarks:* Senate Engrossed: Establishes an early childhood health and nutrition interagency council in the Health and Safety Code. The language creates rules for the council, establishes meeting procedures, describes the council's make-up, explains members' reimbursements, details reporting procedures, and the council's mandate to create plans that align with the purpose of the council.

[SB 451](#)

Author: Van de Putte Sponsor: Patrick, Diane  
Relating to staff development requirements in public schools.

*Remarks:* Senate Engrossed: As part of existing staff development requirements, mandates research-based training in the instruction of students with disabilities for educators who work primarily outside the area of special education. A school district is required to provide the training to an educator who works primarily outside the area of special education only on the recommendation of the admission, review, and dismissal committee for a student receiving instruction from the educator (this varies from the original bill that states the teacher will be required if they do not possess the knowledge and skills necessary to implement the IEP of the student).

[SB 572](#)

Author: Shapiro Sponsor: Branch  
Relating to transportation safety training requirements for certain child-care providers.

*Remarks:* Engrossed: The department of family and protective services by rule shall require an owner, operator, or employee of a day-care center, group day-care home, family home, child-care institution, foster group home, or agency foster group home who transports a child under the care of the facility whose chronological or developmental age is younger than nine years of age to complete at least two hours of annual training on transportation safety.

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## DAILY HOUSE CALENDAR

### TUESDAY, MAY 19, 2009

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\*\*\* GENERAL STATE CALENDAR \*\*\*  
SECOND READING

[SB 1219](#)

Author: Averitt Sponsor: Deshotel  
Relating to a parenting and paternity awareness component of the health curriculum used in public high schools.

*Remarks:* Senate Engrossed: This bill allows a teacher to modify the suggested sequence and pace of the SBOE's parenting and paternity awareness program at the discretion of the district.

The committee substitute removes the requirement that the SBOE developed parenting and paternity awareness program for district high-schools shall be included in the curriculum for any full-year high school course that meets a requirement for health education credit. It also removes the portion that states that at the discretion of a district, the program or part of the program may be included in the curriculum for a high school course lasting less than a full year that meets a requirement for health education credit.

[SB 891](#)

Author: Nelson Sponsor: Eissler  
Relating to the public school physical education curriculum.

*Remarks:* Senate Engrossed: Requires physical education curriculum to be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor, self-management, and other skills, knowledge, attitudes, and confidence necessary to participate in physical activity throughout life. Each school district shall establish objectives and goals to accomplish through the physical education curriculum. SBOE shall ensure that the curriculum:

1. Emphasizes a lifetime of regular physical activity; -Is consistent with national physical education standards;
2. Requires that at least 50 percent of a PE class be used for physical activity;
3. Offers an opportunity to choose among many types of physical activity;
4. Offers both cooperative and competitive games;
5. Meets the needs of students of all physical ability levels, including students who have a disability, chronic health problem, or other special need that prevents the student from participating in regular PE;
6. Takes into account the affect that gender and cultural differences might have on the degree of student interest or on the types of physical activity in which a student is interested;
7. Teaches self-management and movement skills;
8. Teaches cooperation, fair play, and responsible participation in physical activity;
9. Promotes participation in physical activity outside of school; and
10. Allows PE classes to be an enjoyable experience for students.

The committee substitute no longer requires PE classes to have student/teacher ratios comparable to the ratios in other

areas of the curriculum. Rather, each school district shall establish specific objectives and goals the district intends to accomplish through the curriculum including student/teacher ratios that are small enough to enable the district to carry out the requirements of the PE curriculum and ensure the safety of students participating.

[SB 1027](#)

Author: Watson Sponsor: Kleinschmidt  
Relating to the establishment of an interagency farm-to-school coordination task force.

*Remarks:* Senate Engrossed: Establishes the Interagency Farm-to-School Coordination Task Force. The purpose of the Task Force is to promote a healthy diet for schoolchildren and the business of small to mid-sized local farms and ranches, by developing a plan to facilitate the availability of locally grown food products in public schools. The task force is composed of a representative from the Department of Agriculture, TEA, and the Department of State Health Services each appointed by the commissioner of the department. The task force will also have at least one representative from: fruit and vegetable producer organizations; school food service organizations; food distribution businesses; child nutrition and advocacy organizations; parent organizations; educational institutions that conduct research in the areas of agriculture and nutrition; and health nutrition educators who serve school districts. Subject to available funding, the task force shall: - Design education resources on nutrition and food to be used by schools and school districts and expand food-focused education programs; -Create a grant program funded by the department that allows schools and school districts to recover the costs associated with purchasing Locally grown food products; -Develop a database of available locally grown food products for use by school food service agencies that includes contact and purchasing information for the products; -Design and implement training programs to enable local farmers and ranchers to market their products to schools and school districts; -Advise schools and school districts on how they may improve their facilities to allow for the use of fresh produce in school meals; -Provide technical assistance to school food service agencies to accommodate the use of locally grown foods in public schools; -Offer advanced skills development training to school food service employees regarding the proper methods of handling, preparing, and serving locally grown foods; and -Conduct any other activity considered by the task force as necessary to achieve its goals. The task force may solicit and accept gifts, grants, and donations from public and private entities to use for the purposes of this section.