



House Public Education Friday, May 15, 2009

On Thursday, May 14, the House Public Education Committee took up several bills including **SB 1830** by **Senator Patrick** which is related to the establishment, operation and funding of open-enrollment charter schools. **Representatives Hochberg** and **Eissler** laid out the committee substitute, noting several changes from the Senate Engrossed version of the bill. The substitute increases the number of charters TEA can issue from 10 to 15 per year, with a hard cap on the total of 275. The substitute also deletes language for colocation incentives and adds language that exempts junior colleges from the cap on number of charters that can be issued (this is the same for other higher education institutions that issue charters). There is also no provision in the substitute for charter school facility funding. The committee also heard **SB 1489** by **Senator Watson** which is related to optional dispute resolution methods for school districts and parents seeking or receiving education services, **SB 1933** by **Carona** which is related to the confidentiality of information and documents collected during a school security audit, and **SB 2308** by **Gallegos** related to the used of discretionary funds raised by public school campuses. All bills were left pending.

The committee met again on Friday, May 15 to vote on bills. Those that voted out of committee were:

- **SB 197 Shapleigh** Relating to the expansion of the financial literacy pilot program in public schools.
Remarks: Expands financial literacy pilot program to 100 schools from 25. Asks that report be prepared for Legislature by January 2011.
- **SB 199 Shapleigh** Relating to providing training in personal financial literacy instruction for public school teachers.
Remarks: Adds to Regional Service Center core services for purchase by districts and campuses: providing instruction in personal financial literacy as required by 28.0021 of Education Code.
- **SB 587 Shapiro** Relating to the eligibility of school districts for state assistance with payment of existing debt.
Remarks: Rolls forward the Existing Debt Allotment (EDA).
- **SB 644 Shapiro** Relating to modifications, adjustments, and reimbursements under the public school finance system for a school district located in a disaster area.
Remarks: Provides additional assistance to school districts located in a declared disaster area. Reduces recapture costs by the amount necessary for disaster remediation. Requires the commissioner to make an ADA adjustment for school districts in a disaster area for two years so that the district receives funding comparable to what it would have received if ADA had not declined as a result of the disaster. Requires the commissioner to adjust property values so that the district can receive funding based on values as affected by the disaster as soon as possible. Allows the commissioner to provide additional

assistance to a district affected by a declared disaster if the commissioner determines that there are excess appropriations to the foundation school program.

Floor amendments were added to this bill to clarify that the commissioner may provide reimbursement under this section if funds are specifically appropriated for the purpose and also if the Foundation School Program funds are available for purposes of this section, based on the determination by the commissioner that the amount appropriated for the FSP exceeds the amounts for which districts are entitled. Additional language is added to explain that if available funds for this purpose are not sufficient to fully reimburse affected districts than the commissioner shall reduce the amount of assistance provided under this section. Also, a district required to purchase attendance credits under Ch. 41 is eligible to receive assistance under this section. A final amendments clarifies that the bill does not make an appropriation and will only take effect if a specific appropriation is made in a general appropriations act of the 81st Legislature.

- **SB 669 Shapleigh** Relating to the availability of online testing for high school equivalency examinations.
Remarks: If the national entity that develops and delivers high school equivalency examinations authorizes online testing, the board by rule shall provide for administration of the examinations online. The rules must provide a procedure for verifying the identity of the person taking the examination. An amendment was added to strike the language, "A board by rule shall provide for the administration of high school equivalency examinations through online testing," and substitutes it with, "If the national entity that develops and delivers high school equivalency examinations authorizes online testing, the board by rule shall provide for administration of the examinations online."
- **SB 892 Nelson** Relating to inclusion in a public school campus improvement plans of an evaluation of the campus coordinated health program.
Remarks: The bill expands the required components of campus improvement plans to include setting goals and objectives for the coordinated health program using fitness assessment data, academic performance data, attendance, economic status, and use/success of methods to ensure student participation in at least 135 minutes of moderate to vigorous physical activity each week, and any other indicator recommended by the school's health advisory council.
- **SB 987 Shapiro** Relating to the age at which transition planning begins for a public school student receiving special education services.
Remarks: Requires that transition planning begins for a student enrolled in special education programs no later than when the student reaches 14 years of age.
- **SB 1077 Carona** Relating to certain persons and activities regulated by the Department of Public Safety.
Remarks: While the original bill required a school district to offer a driver education and traffic safety course during each school year, this new version just requires that a district consider offering the course. The district may charge a fee for the course in the amount determined by the agency to be comparable to the fee charged by commercial driving schools. A driver education course for a student who is under 18 years of age must require the student to complete 34 hours of behind-the-wheel instruction, including at least 10 hours of instruction that takes place at night.

- **SB 1313 Shapiro** Relating to the quality and accessibility of public school career and technical education programs.

Remarks: Adds open-enrollment charter school to the LBB online clearinghouse of information related to best practices and allows TEA to determine examples of best practices. This bill also requires that the Clearinghouse provide information on best practices in career and technology programs including:

1. Model programs that connect kindergarten through grade 12 to postsecondary employment or higher education in a seamless system that includes the use of quality internship programs;
2. Courses that teach the required curriculum in a manner that may be applied to employment skills;
3. Models of course scheduling that allow students to participate in a coherent sequence of career and technology courses while meeting the requirement that students complete four courses in each subject of the foundation curriculum;
4. Employment counseling; -The integration and use of Internet courses into the career and technology education course sequences.

TEA shall report to the legislature how to use the Clearinghouse and include recommendations on its use. Requires that each time the Texas Higher Education Coordinating Board revises the Internet database of the coordinating board's official statewide inventory of workforce education courses, SBOE shall by rule revise the essential knowledge and skills of any corresponding career and technology education curriculum. Requires the Texas Workforce Commission to develop, in consultation with the Texas Workforce Investment Council, a list of high-demand, high-wage, high-skill occupations in this state that have industry certifications. The Texas Workforce Commission shall provide the research and technical support for developing the list under this subsection. Each counselor at a middle or junior high school, including a charter school, shall advise students and their parents regarding the purposes of and available options for career and technology education for purposes of establishing a personal graduation plan. During the first school year a student is enrolled in a high school, a counselor shall provide information about career and technology education to the student and the student's parent as part of a personal graduation plan.

The SBOE shall work in conjunction with TEA, TWC, and the comptroller to develop an economic impact study based on data gathered. The commissioner of higher education, in consultation with the comptroller and the Texas Workforce Commission, may award a grant in an amount not to exceed \$1 million to an institution of higher education to develop advanced mathematics and science courses to prepare high school students for employment in a high-demand occupation. An institution of higher education shall work in partnership with at least one independent school district and a business entity in developing a course.

The substitute includes an adult basic education pilot program that works with junior colleges and public technical institutes to focus on the provision of developmental education to support the transition from high school to college or career and dropout recovery. The substitute also creates the Jobs and Education for Texans (JET) grant program. The substitute indicates the makeup of the program's advisory board, distribution of funds and scope of the grant which will be awarded to public junior colleges, public technical institutes, and eligible nonprofit organizations. The substitute removes the as-filed

section to create math and science courses that focus on high demand jobs. A floor amendment was added to stipulate that the bill does not make an appropriation and will only take effect if a specific appropriation for the implementation of the bill is provided in the general appropriations act of the 81st Legislature.

- **SB 1363 Shapiro** Relating to clarification of the essential knowledge and skills of the public school curriculum and the evaluation of conforming curriculum management systems.
Remarks: Adds a section to the education code that states that TEA shall develop, in cooperation with the SBOE and with the participation of educators, written materials that provide additional specific guidance regarding the essential knowledge and skills. The materials must include appropriate clarifiers such as exemplar activities and qualifying statements. Also adds a section to the education code that establishes Curriculum Management Systems. This bill defines "curriculum management system" as a comprehensive, fully integrated online computer-based system that: -Links and aligns all teaching, learning, and assessment components of student academic achievement; and may include components such as curriculum, instructional resources, assessments, a data warehouse, and a reporting feature capable of being customized to meet specific school district needs. As a resource for school districts, TEA shall: -Evaluate curriculum management systems available in this state, including systems developed by school districts, regional education service centers, and regional education service center cooperatives; and -Compile a list of curriculum management systems that conform to the essential knowledge and skills of the required curriculum. An amendment was added to state that the bill does not make an appropriation.
- **SB 1576 Shapiro** Relating to an algebra instruction grant program.
Remarks: Establishes the algebra instruction grant program from which grants are awarded to school districts to implement algebra instruction programs. The commissioner may not use more than \$50 million for this program. The substitute changes the grade levels at which teachers become eligible to make eligibility for teachers of grades 5-8. A floor amendment was added to the bill that states the bill does not make an appropriation and that the bill will only take effect if a specific appropriation for the implementation of the act is provided in a general appropriations act of the 81st Legislature.
- **SB 1830 Patrick, Dan** Relating to the establishment, operation, and funding of open- enrollment charter schools.
Remarks: The State Board of Education may not grant more than 10 new charters for an open-enrollment charter school each state fiscal year. A charter holder may establish one or more new open-enrollment charter school campuses under a charter without applying for authorization from the State Board of Education if:(1) 90 percent or more of the open-enrollment charter school campuses operating under the charter are rated as academically acceptable or higher(2) either no campus operating under the charter has been rated as academically unacceptable for any two of the three preceding school years or such a campus has been closed. The bill also allows for co-location between charter schools and traditional public schools although accountability information for students shall be reported separately. The engrossed version of the bill removes the original limit of no more than 20 percent of charters granted under this section to schools primarily serving students with disabilities. An amendment was added that changes minor language throughout the bill.