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Individual Graduation Committees (SB 463)	<p>TEC Sec. 28.0258 (High School Diploma Awarded on Basis on Individual Graduation Committee Review) amended by amending Sec. 28.0258(l) to provide:</p> <p>(l) This section expires September 1, 2019</p> <p><i>(Section 28.0258 was scheduled to expire September 1, 2017. Current Commissioner Rule §101.3022(e)(5) provides that a student may graduate by means of an IGC if the student has qualified for an IGC under the TEC, §28.0258, and the IGC convened prior to September 1, 2017. Presumably, the date in §101.3022(e)(5) will be changed to September 1, 2019)</i></p>	<p>Revision to Commissioner Rule §101.3022</p>
Sequencing of Required ELA and Math Courses (SB 826)	<p>TEC Sec. 28.025(b-1) amended to eliminate the requirement that for purposes of FHSP graduation course credits:</p> <ul style="list-style-type: none"> an advanced English course must be taken after successful completion of English I, English II, and English III; and an advanced Math course must be taken after successful completion of Algebra I and Geometry 	<p>Fixes a sequencing challenge for students to earn advanced English and Math course credits</p>
Dual Credit Courses (SB 1091)	<p>TEC Sec. 28.009 (College Credit Program) amended by amended by adding Subsections (a-4), (a-5), and (b-1) to provide:</p> <p>(a-4) A dual credit course offered under this section must be:</p> <ol style="list-style-type: none"> in the core curriculum of the public institution of higher education providing college credit; a career and technical education course; or a foreign language course. <p>(a-5) Subsection (a-4) does not apply to a dual credit course offered as part of the early college education program established under Section 29.908 or any other early college program that assists a student in earning a certificate or an associate degree while in high school.</p> <p>TEC Sec. 51.968(b) amended to provide that when granting undergraduate course credit to entering freshman for completion of dual credit courses, institutions of higher education must require the dual credit course to meet the same requirements specified in Sec. 28.009(a-4) and (a-5).</p> <p>TEC Sec. 130.008 amended to provide that a course offered for joint high school and junior college credit must meet the same requirements specified in Sec. 28.009(a-4) and (a-5).</p> <p>The changes to dual credit courses described in SB 1091 apply beginning with dual credit courses offered for the 2018 spring semester.</p>	<p>TEA and THECB shall coordinate as necessary to adopt rules for the implementation of these provisions</p>
Graduation Requirements (SB 671)	<p>TEC Sec. 28.025 amended by adding Subsection (b-21) to provide:</p> <p>(b-21) In adopting rules under Subsection (b-1) [graduation under FHSP], the SBOE shall adopt criteria to allow a student to comply with the curriculum requirement for one credit under Subsection (b-1)(5) [specifying two credits in the same language in a language other than English] by successfully completing a dual language immersion program under Section 28.0051 at an elementary school.</p>	
Instructional Materials (SB 801)	<p>TEC Sec. 31.023(b) and Sec. 31.035(a) amended to provide that instructional materials and supplemental instructional materials adopted by the SBOE on or after September 1, 2017 must be suitable for the subject and grade level and be reviewed by academic experts in the subject and grade level.</p>	
Dyslexia Screening (HB 1886)	<p>TEC Sections 38.003(a) and (b-1) amended to provide:</p> <p>(a) Students enrolling in public schools in this state shall be screened or tested, as appropriate, for dyslexia and related disorders at appropriate times in accordance with a program approved by the State Board of Education. The program must include screening at the end of the school year of each student in kindergarten and each student in the first grade.</p> <p>(b-1) Unless otherwise provided by law, a student determined to have dyslexia during screening or testing under Subsection (a) or accommodated because of dyslexia may not be rescreened or retested for dyslexia for the purpose of reassessing the student's need for accommodations until the district reevaluates the information obtained from previous screening or testing of the student.</p>	
Dyslexia Training Opportunities (HB 1886)	<p>TEC Sec. 38.0032 (Dyslexia Training Opportunities) added to provide:</p> <p>(a) The agency shall annually develop a list of training opportunities regarding dyslexia that satisfy the requirements of Section 21.054(b) (<i>relating to continuing education requirements for an educator who teaches students with dyslexia</i>). The list of training opportunities must include at least one opportunity that is available online.</p> <p>(b) A training opportunity included in the list developed under Subsection (a) must:</p> <ol style="list-style-type: none"> comply with the knowledge and practice standards of an international organization on dyslexia; and enable an educator to: <ol style="list-style-type: none"> understand and recognize dyslexia; and implement instruction that is systematic, explicit, and evidence-based to meet the educational needs of a student with dyslexia. 	



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ESC Dyslexia Specialists (HB 1886)	<p>TEC Sec. 8.061 added to provide that:</p> <p>Each regional education service center shall employ as a dyslexia specialist a person licensed as a dyslexia therapist under Chapter 403, Occupations Code, to provide school districts served by the center with support and resources that are necessary to assist students with dyslexia and the families of students with dyslexia.</p>	
Diploma Requirements for Students Entering 9th Grade Prior to 2011-12 (SB 463)	<p>TEC Sec. 28.02541 (Diploma for Certain Students Who Entered Ninth Grade Before 2011-12) added to provide:</p> <p>(a) This section applies only to a student who:</p> <ol style="list-style-type: none"> (1) entered the ninth grade before the 2011-12 school year; (2) successfully completed the curriculum requirements for high school graduation applicable to the student when the student entered the ninth grade; (3) has not performed satisfactorily on an assessment instrument or a part of an assessment instrument required for high school graduation, including an alternate assessment instrument offered under Section 39.025(c-1) (<i>which addresses alternate assessments for students who are subject to exit level TAAS requirements</i>); and (4) has been administered the assessment instrument or the part of the assessment instrument for which the student has not performed satisfactorily at least three times. <p>(b) Notwithstanding the requirements under this subchapter, the commissioner by rule shall establish a procedure to determine whether a student subject to this section may qualify to graduate and receive a high school diploma as provided by this section.</p> <p>(c) In adopting rules under this section, the commissioner:</p> <ol style="list-style-type: none"> (1) shall designate the school district in which a student is enrolled or was last enrolled to make the decision regarding whether the student qualifies to graduate and receive a high school diploma; and (2) shall establish criteria for school districts to develop recommendations for alternative requirements by which a student subject to this section may qualify to graduate and receive a high school diploma. <p>(d) In adopting rules under Subsection (c)(2), the commissioner may authorize as an alternative requirement:</p> <ol style="list-style-type: none"> (1) an alternative assessment instrument and performance standard for that assessment instrument; (2) work experience; or (3) military or other relevant life experience. <p>(e) A school district's decision regarding whether the student qualifies to graduate and receive a high school diploma is final and may not be appealed.</p>	<p>Creates a process similar to the IGC process for students who entered 9th grade prior to 2011-12 (meaning students who entered high school when Exit Level TAKS or TAAS tests were required to graduate)</p> <p>TEA is required to adopt rules to administer this section</p> <p>This section expires September 1, 2019</p>
Intervention Strategies (SB 1153)	<p>TEC Sec. 26.004(b) amended to add to the following to the list of written records to which a parent is entitled: "records relating to assistance provided for learning difficulties, including information collected regarding any intervention strategies used with the child."</p> <p>TEC Sec. 26.004(a) added to define "intervention strategy" to mean:</p> <p>a strategy in a multi-tiered system of supports that is above the level of intervention generally used in that system with all children. The term includes response to intervention and other early intervening strategies.</p> <p>TEC Sec. 26-018 (Right to Information Concerning Special Education and Education of Students with Learning Difficulties) amended to add subsection (d) to provide:</p> <p>(d) Each school year, each school district shall notify a parent of each child, other than a child enrolled in a special education program under Subchapter A, Chapter 29, who receives assistance from the district for learning difficulties, including through the use of intervention strategies, as that term is defined by Section 26.004, that the district provides that assistance to the child. The notice must:</p> <ol style="list-style-type: none"> (1) be provided when the child begins to receive the assistance for that school year; (2) be written in English or, to the extent practicable, the parent's native language; and (3) include: <ol style="list-style-type: none"> (A) a reasonable description of the assistance that may be provided to the child, including any intervention strategies that may be used; (B) information collected regarding any intervention in the base tier of a multi-tiered system of supports that has previously been used with the child; (C) an estimate of the duration for which the assistance, including through the use of intervention strategies, will be provided; (D) the estimated time frames within which a report on the child's progress with the assistance, including any intervention strategies used, will be provided to the parent; and (E) a copy of the explanation provided under Subsection (c). <p>TEC Section 42.006 (PEIMS) amended by adding subsections (a-3) and (a-4) to require schools to report annually through PEIMS:</p> <p>(a-3) the total number of students, other than students described by Subsection (a-4), enrolled in the district or school with whom the district or school, as applicable, used intervention strategies at any time during the year for which the report is made.</p> <p>(a-4) the total number of students enrolled in the district or school to whom the district or school provided aids, accommodations, or services under Section 504 at any time during the year for which the report is made.</p>	<p>Reporting requirements (to parents and to PEIMS) relating to the provision of "intervention strategies" may create challenges for districts in terms of identifying and providing those services</p>



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<p>SpEd: Placement and Use of Video Cameras in Certain Self-Contained Classrooms or Other Settings (SB 1398)</p>	<p>TEC Sec. 29.022 amended by amending various subsections to substantially revise requirements relating to placement and use of video cameras in certain self-contained classrooms or other settings providing special education services.</p> <p>(a) In order to promote student safety, on receipt of a written request authorized under Subsection (a-1), a school district or open-enrollment charter school shall provide equipment, including a video camera, to the school or schools in the district or the charter school campus or campuses specified in the request. A school or campus that receives equipment as provided by this subsection shall place, operate, and maintain one or more video cameras in self-contained classrooms and other special education settings in which a majority of the students in regular attendance are provided special education and related services and are assigned to one or more self-contained classrooms or other special education settings for at least 50 percent of the instructional day, provided that:</p> <ol style="list-style-type: none"> (1) a school or campus that receives equipment as a result of the request by a parent or staff member is required to place equipment only in classrooms or settings in which the parent's child is in regular attendance or to which the staff member is assigned, as applicable; and (2) a school or campus that receives equipment as a result of the request by a board of trustees, governing body, principal, or assistant principal is required to place equipment only in classrooms or settings identified by the requestor, if the requestor limits the request to specific classrooms or settings subject to this subsection. <p>(a-1) For purposes of Subsection (a):</p> <ol style="list-style-type: none"> (1) a parent of a child who receives special education services in one or more self-contained classrooms or other special education settings may request in writing that equipment be provided to the school or campus at which the child receives those services; (2) a board of trustees or governing body may request in writing that equipment be provided to one or more specified schools or campuses at which one or more children receive special education services in self-contained classrooms or other special education settings; (3) the principal or assistant principal of a school or campus at which one or more children receive special education services in self-contained classrooms or other special education settings may request in writing that equipment be provided to the principal 's or assistant principal 's school or campus; and (4) a staff member assigned to work with one or more children receiving special education services in self-contained classrooms or other special education settings may request in writing that equipment be provided to the school or campus at which the staff member works. <p>(b) A school or campus that places a video camera in a classroom or other special education setting in accordance with Subsection (a) shall operate and maintain the video camera in the classroom or setting, as long as the classroom or setting continues to satisfy the requirements under Subsection (a), for the remainder of the school year in which the school or campus received the request, unless the requestor withdraws the request in writing. If for any reason a school or campus will discontinue operation of a video camera during a school year, not later than the fifth school day before the date the operation of the video camera will be discontinued, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue unless requested by a person eligible to make a request under Subsection (a-1). Not later than the 10th school day before the end of each school year, the school or campus must notify the parents of each student in regular attendance in the classroom or setting that operation of the video camera will not continue during the following school year unless a person eligible to make a request for the next school year under Subsection (a-1) submits a new request.</p> <p>(e) Except as provided by Subsection (e-1) (relating to requests to view a recording), a school district or open-enrollment charter school shall retain video recorded from a video camera placed under this section for at least three months after the date the video was recorded.</p> <p>(l) A school district or open-enrollment charter school policy relating to the placement, operation, or maintenance of video cameras under this section must:</p> <ol style="list-style-type: none"> (1) include information on how a person may appeal an action by the district or school that the person believes to be in violation of this section or a policy adopted in accordance with this section, including the appeals process under Section 7.057; (2) require that the district or school provide a response to a request made under this section not later than the seventh school business day after receipt of the request by the person to whom it must be submitted under Subsection (a-3) that authorizes the request or states the reason for denying the request; (3) except as provided by Subdivision (5), require that a school or a campus begin operation of a video camera in compliance with this section not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized unless the agency grants an extension of time; (4) permit the parent of a student whose admission, review, and dismissal committee has determined that the student 's placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed under this section to make a request for the video camera by the later of: <ol style="list-style-type: none"> (A) the date on which the current school year ends; or (B) the 10th school business day after the date of the placement determination by the admission, review, and dismissal committee; and (5) if a request is made by a parent in compliance with Subdivision (4), unless the agency grants an extension of time, require that a school or campus begin operation of a video camera in compliance with this section not later than the later of: <ol style="list-style-type: none"> (A) the 10th school day of the fall semester; or (B) the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made. <p>(u) In this section ...</p> <ol style="list-style-type: none"> (3) "Self-contained classroom" does not include a classroom that is a resource room instructional arrangement under Section 42.151. 	



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<p>SpEd: SSI (HB 657)</p>	<p>TEC 28.0211(i) (relating to SSI for Reading and Math in Grades 5 and 8) amended to provide that if a student receiving special education services does not perform satisfactorily on the first administration of a STAAR Reading or Math assessment in Grades 5 or 8, the student's ARD committee must meet before the assessment is administered for the second time to determine whether the student will be retained or will be promoted in accordance with newly added Subsection 29.0122(i-1):</p> <p>(i-1) At a meeting of the ARD committee of a student under Subsection (i), the committee may promote the student to the next grade level if the committee concludes that the student has made sufficient progress in the measurable academic goals contained in the student's IEP. A school district that promotes a student under this subsection is not required to provide an additional opportunity for the student to perform satisfactorily on the assessment instrument.</p> <p>Newly added Subsection 29.0211(i-2), requires that not later than September 1 of each school year, a school district must notify the parents of students receiving special education services of the options of the ARD committee under Sec. 29.0211(i) if the student does not perform satisfactorily on an SSI STAAR assessment.</p>	
<p>SpEd: Special Olympics (HB 1645)</p>	<p>TEC Sec. 33.093 (Recognition of Participation in Special Olympics) added to provide: to read as follows:</p> <p>If a school district allows high school students to earn a letter for academic, athletic, or extracurricular achievements, the district must allow high school students in the district to earn a letter on the basis of a student's participation in a Special Olympics event.</p>	
<p>Mathematics Innovation Zones (SB 1318)</p>	<p>TEC Chapter 28 amended by adding Sec. 28.020 (Mathematics Innovation Zones) to provide:</p> <p>(a) The commissioner may:</p> <ol style="list-style-type: none"> (1) on application of a school district or open-enrollment charter school, designate a campus of the district or school as a mathematics innovation zone; and (2) from funds appropriated or donated for purposes of this section, award a grant to support implementation of innovative mathematics instruction at the campus in accordance with this section. <p>(b) A campus designated as a mathematics innovation zone must:</p> <ol style="list-style-type: none"> (1) implement with fidelity an innovative mathematics instructional program approved by the commissioner for purposes of this section that addresses the essential knowledge and skills of the mathematics curriculum required by Section 28.002; (2) comply with objectives, metrics, and other mathematics innovation zone requirements imposed by the commissioner through rules adopted under Subsection (g); and (3) provide all data relating to the mathematics innovation zone requested by the agency. <p>(c) A campus designated as a mathematics innovation zone is not subject to interventions under the state accountability system described by Section 39.107(a) or (e) for the first two years of the designation, provided that the campus implements the instructional program with fidelity and complies with each mathematics innovation zone requirement to the satisfaction of the commissioner. The period that a campus is exempt from interventions as provided by this subsection is not:</p> <ol style="list-style-type: none"> (1) included in calculating consecutive school years under Section 39.107(a) or (e); or (2) considered a break in consecutive school years of unacceptable ratings for purposes of determining the need for intervention under Section 39.107(a) or (e). <p>(d) The commissioner may revoke designation of a campus as a mathematics innovation zone and suspend associated grant funding if the commissioner determines that the campus has failed to implement the instructional program with fidelity or comply with any requirement imposed under this section.</p> <p>(e) A school district or open-enrollment charter school may use a pay for success program approved by the commissioner under Section 44.904 to pay costs associated with designation of a campus as a mathematics innovation zone.</p> <p>(f) The commissioner may accept gifts, grants, or donations from any public or private source for purposes of this section.</p>	<p>TEA may adopt rules as necessary to administer this section.</p>
<p>Pay for Success Plan (SB 1318)</p>	<p>TEC Chapter 44 amended by adding Sec. 44.904 (Pay for Success Plan) to provide:</p> <p>(a) In this section, "pay for success program" means a program involving private financing under which payments are dependent on achievement of measurable outcomes.</p> <p>(b) The commissioner may:</p> <ol style="list-style-type: none"> (1) structure and approve pay for success programs for use by a school district or open-enrollment charter school; (2) evaluate and approve the following participants in a pay for success program: <ol style="list-style-type: none"> (A) a private investor; (B) an education service provider; and (C) a third-party evaluator; and (3) require an approved participant to comply with the objectives, metrics, and other pay for success program requirements prescribed by the commissioner. <p>(c) In evaluating a potential participant under Subsection(b)(2), the commissioner may:</p> <ol style="list-style-type: none"> (1) verify the availability and liquidity of the investment funds of a private investor; (2) evaluate the credentials and effectiveness of an education service provider; and (3) evaluate the credentials and independence of a third-party evaluator. <p>(d) Notwithstanding any other law, a school district or open-enrollment charter school that uses a pay for success program approved by the commissioner is not subject to state procurement requirements that would otherwise apply to the activity funded through the program.</p>	<p>The commissioner may adopt rules as necessary to implement this section.</p>



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<p>Technology Lending Program Grants (HB 3526)</p>	<p>TEC Chapter 32 amended by adding Subchapter G (Technology Lending Program Grants) to provide:</p> <p>Sec. 32.301. ESTABLISHMENT OF PROGRAM.</p> <p>(a) The commissioner may establish a grant program under which grants are awarded to school districts and open-enrollment charter schools to implement a technology lending program to provide students access to equipment necessary to access and use electronic instructional materials.</p> <p>(b) A school district or an open-enrollment charter school may apply to the commissioner to participate in the grant program. In awarding grants under this subchapter for each school year, the commissioner shall consider:</p> <ol style="list-style-type: none"> (1) the availability of existing equipment to students in the district or school; (2) other funding available to the district or school; and (3) the district 's or school 's technology plan. <p>(c) The commissioner may determine the terms of a grant awarded under this section, including limits on the grant amount and approved uses of grant funds. ...</p> <p>Sec. 32.303. USE OF GRANT FUNDS.</p> <p>(a) A school district or open-enrollment charter school may use a grant awarded under Sec. 32.301 or other local funds to purchase, maintain, and insure equipment for a technology lending program.</p> <p>(b) Equipment purchased by a school district or open-enrollment charter school with a grant awarded under Section 32.301 is the property of the district or school.</p>	 <p>The commissioner shall review the grant program established under this subchapter and submit a legislative report by January 1, 2019.</p>
<p>Open Education Resource Instructional Material (SB 810)</p>	<p>TEC Chapter 31 amended to include the following revisions:</p> <ol style="list-style-type: none"> (1) “Technology” has been added throughout Chapter 31 to references made to “instructional materials” and the “instructional materials fund” or “instructional materials allotment” (2) The term “open source instructional material” has been replaced with “open education resource instructional material” (3) The term “open education resource instructional material” is defined in Sec. 31.002(1-a) to mean: teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that allows for free use, reuse, modification, and sharing with others, including full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge. The term includes state-developed open education resource instructional material purchased under Subchapter B-1. <p>TEC Sec. 31.022 amended by adding Subsections (g) and (h) to provide:</p> <p>(g) In reviewing and adopting instructional materials, the board shall consider a school district 's need for technology as well as instructional materials and in any biennium may limit the adoption of instructional materials to provide sufficient resources to purchase technology resources, including digital curriculum.</p> <p>(h) The board shall include information regarding open education resource instructional materials during the adoption cycle, including any cost savings associated with the adoption of open education resource instructional materials.</p>	
<p>Open Source Instructional Material (SB 1784)</p>	<p>TEC Chapter 31, Subchapter B-1 amended by adding Section 31.0711 (Content Not Owned by State) to provide:</p> <p>Instructional material purchased under this subchapter may include content not owned by the state and for which preexisting rights may exist if the content:</p> <ol style="list-style-type: none"> (1) is in the public domain; (2) may be used under a limitation or exception to copyright law, including a limitation under Section 107, Copyright Act of 1976 (17 U.S.C. Section 107); or (3) is licensed to the state under a license that: <ol style="list-style-type: none"> (A) grants the state unlimited authority to modify, delete, combine, or add content; (B) permits the free use and repurposing of the material by any person or entity; and (C) is for a term of use acceptable to the commissioner to ensure a useful life of the material. <p>TEC Sec. 31.075(b) amended to provide</p> <p>(b) To encourage the use of instructional material purchased by the state under this subchapter (Open Source Instructional Materials) by school districts and open-enrollment charter schools, the commissioner shall provide a license for the instructional material that allows for the free use, reuse, modification, or sharing of the material by any person or entity</p> <p>TEC Sec. 31.075(c) amended and Sections 31.075(d), (e) and (f) added to address specific requirements relating to the terms of licenses granted by the commissioner under Sec. 31.075.</p>	



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<p>Cybersecurity (HB 3593)</p>	<p>TEC Sec. 28.002(f) amended to provide:</p> <p>(f) A school district may offer courses for local credit in addition to those in the required curriculum. The SBOE shall:</p> <ol style="list-style-type: none"> (1) be flexible in approving a course for credit for high school graduation under this subsection; and (2) approve courses in cybersecurity for credit for high school graduation under this subsection. <p>TEC Sec. 28.002(g-3) added to provide</p> <p>(g-3) A district may also offer a course in cybersecurity that is approved by the board of trustees for credit <u>without obtaining State Board of Education approval</u> if the district partners with a public or private institution of higher education that offers an undergraduate degree program in cybersecurity to develop and provide the course.</p> <p>TEC Sec. 28.025 (c-10) added to provide:</p> <p>(c-10) In adopting rules under Subsection (c-1) [the 5 Endorsement areas for FHSP graduates], the SBOE shall adopt or select five technology applications courses on cybersecurity to be included in a cybersecurity pathway for the STEM endorsement.</p>	<p>SBOE</p>
<p>Instruction on Prevention of Sexual Abuse and Sex Trafficking (SB 2039)</p>	<p>TEC Chapter 29 amended by adding Sec. 29.017 (Instruction on Prevention of Sexual Abuse and Sex Trafficking) to provide:</p> <ol style="list-style-type: none"> (a) The commissioner, in cooperation with the human trafficking prevention task force created under Section 402.035, Government Code, and any other persons the commissioner considers appropriate, shall develop one or more sexual abuse and sex trafficking instructional modules that a school district may use in the district’s health curriculum. (The modules may include a variety of topics relating to sexual abuse and assault and sex trafficking – as listed in Sec. 29.017(a).) (b) The module or modules developed under Subsection (a) must emphasize compassion for victims of sexual abuse or sex trafficking and the creation of a positive reentry experience for survivors of sexual abuse or sex trafficking into schools. (c) Before the beginning of each school year, a school district that elects to use a module developed under Subsection (a) in the district’s health curriculum shall provide written notice to the parent of each student enrolled in the district that includes the following: <ol style="list-style-type: none"> (1) a statement that the district will provide instruction relating to sexual abuse and sex trafficking awareness to students enrolled in the district; (2) a description of the material that will be used in providing instruction to students; and (3) a statement that the parent has the right to review the material and remove the parent’s student from the instruction. (d) If a school district does not comply with the requirements of Subsection (c), a parent of a student enrolled in the district may file a complaint in accordance with the district’s grievance procedure developed under Section 26.011. 	
<p>Alternative Education Programs for At-Risk Students (HB 3706)</p>	<p>TEC Sec. 29.081(e) amended to provide:</p> <p>(e) A school district may use a private or public community-based dropout recovery education program to provide alternative education programs for students at risk of dropping out of school. The program may be offered:</p> <ol style="list-style-type: none"> (1) at a campus; or (2) through the use of an Internet online program that leads to a high school diploma and prepares the student to enter the workforce. <p>(e-1) A campus-based dropout recovery education program must:</p> <ol style="list-style-type: none"> (1) provide not less than four hours of instructional time per day; (2) employ as faculty and administrators persons with baccalaureate or advanced degrees; (3) provide at least one instructor for each 28 students; (4) perform satisfactorily according to performance indicators and accountability standards adopted for alternative education programs by the commissioner; and (5) comply with this title and rules adopted under this title except as otherwise provided by this subsection. <p>(e-2) An Internet online dropout recovery education program must:</p> <ol style="list-style-type: none"> (1) include as a part of its curriculum credentials, certifications, or other course offerings that relate directly to employment opportunities in the state; (2) employ as faculty and administrators persons with baccalaureate or advanced degrees; (3) provide an academic coach and local advocate for each student; (4) use an individual learning plan to monitor each student’s progress; (5) establish satisfactory requirements for the monthly progress of students according to standards set by the commissioner; (6) provide a monthly report to the student’s school district regarding the student’s progress; (7) perform satisfactorily according to performance indicators and accountability standards adopted for alternative education programs by the commissioner; and (8) comply with this title and rules adopted under this title except as otherwise provided by this subsection. 	





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<p>Bullying and Cyberbullying – “David’s Law” (SB 179)</p>	<p>TEC Sec. 37.0832 amended to repeal subsection (b) and amend subsection (a) to provide:</p> <p>(a) In this section:</p> <p>(1) "Bullying":</p> <p>(A) means a single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that satisfies the applicability requirements provided by Subsection (a-1), and that:</p> <p>(i) has the effect or will have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property;</p> <p>(ii) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student;</p> <p>(iii) materially and substantially disrupts the educational process or the orderly operation of a classroom or school; or</p> <p>(iv) infringes on the rights of the victim at school; and</p> <p>(B) includes cyberbullying.</p> <p>(2) "Cyberbullying" means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.</p> <p>(a-1) This section applies to:</p> <p>(1) bullying that occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;</p> <p>(2) bullying that occurs on a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; and</p> <p>(3) cyberbullying that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying:</p> <p>(A) interferes with a student’s educational opportunities; or</p> <p>(B) substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.</p> <p>TEC Sec. 37.082(f) added to provide</p> <p>(f) Each school district may establish a district-wide policy to assist in the prevention and mediation of bullying incidents between students that:</p> <p>(1) interfere with a student’s educational opportunities; or</p> <p>(2) substantially disrupt the orderly operation of a classroom, school, or school-sponsored or school-related activity.</p>	<p></p> <p>Each school district will need to revise its policy concerning bullying, which is required under Sec. 37.0832(c), to address the revisions made by SB 179</p>
<p>Placement or Expulsion of Students Who Have Engaged in Certain Bullying Behavior (SB 179)</p>	<p>TEC Sec. 37.0052 (Placement or Expulsion of Students Who Have Engaged in Certain Bullying Behavior) added to provide:</p> <p>(b) A student may be removed from class and placed in a disciplinary alternative education program as provided by Section 37.008 or expelled if the student:</p> <p>(1) engages in bullying (as defined in TEC Sec. 37.0832) that encourages a student to commit or attempt to commit suicide;</p> <p>(2) incites violence against a student through group bullying; or</p> <p>(3) releases or threatens to release intimate visual material (as defined in Civil Practice and Remedies Code Sec. 98B.001) of a minor or a student who is 18 years of age or older without the student’s consent.</p> <p>(c) Nothing in this section exempts a school from reporting a finding of intimate visual material of a minor.</p>	<p></p>
<p>Reporting of Assault or Cyberbullying (SB 179)</p>	<p>TEC Sec. 37.0151 added to provide that the principal of a public primary or secondary school, or a person designated by the principal, may make a report to any school district police department, if applicable, or the police department of the municipality in which the school is located or, if the school is not in a municipality, the sheriff of the county in which the school is located if, after an investigation is completed, the principal has reasonable grounds to believe that a student engaged in conduct that constitutes an offense under Section 22.01 (Assault) or 42.07(a)(7) (Cyberbullying) of the Texas Penal Code.</p>	



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2017-18 School Year

Curriculum and Instruction

Topic	Summary	Considerations
<p>Out of School Suspension Limited for Students Enrolled Below Grade 3 (HB 674)</p>	<p>TEC 37.005 (Out of School Suspension) amended by adding Sec. 37.005(c) added to provide:</p> <p>(c) A student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless while on school property or while attending a school-sponsored or school-related activity on or off of school property, the student engages in:</p> <ol style="list-style-type: none"> (1) conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code [Prohibited Weapons] (2) conduct that contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code [Assaults]; or (3) selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of: <ol style="list-style-type: none"> (A) marihuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.; (B) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or (C) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code. <p>TEC Sec. 37.0013 (Positive Behavior Program) added to provide:</p> <p>(a) Each school district and open-enrollment charter school may develop and implement a program, in consultation with campus behavior coordinators employed by the district or school and representatives of a regional education service center, that provides a disciplinary alternative for a student enrolled in a grade level below grade three who engages in conduct described by Section 37.005(a) [conduct justifying Out of School Suspension] and is not subject to Section 37.005(c). The program must:</p> <ol style="list-style-type: none"> (1) be age-appropriate and research-based; (2) provide models for positive behavior; (3) promote a positive school environment; (4) provide alternative disciplinary courses of action that do not rely on the use of in-school suspension, out-of-school suspension, or placement in a disciplinary alternative education program to manage student behavior; and (5) provide behavior management strategies, including: (A) positive behavioral intervention and support; (B) trauma-informed practices; (C) social and emotional learning; (D) a referral for services, as necessary; and (E) restorative practices. <p>(b) Each school district and open-enrollment charter school may annually conduct training for staff employed by the district or school on the program adopted under Subsection (a).</p>	
<p>Memorial Day (HB 441)</p>	<p>TEC Sec. 25.081 amended to add Subsection (f) to provide that a school district may not provide student instruction on Memorial Day. If a school district would be required to provide student instruction on Memorial Day to compensate for minutes of instruction lost because of school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity, the commissioner shall approve the instruction of students for fewer than the number of minutes required under Subsection (a).</p>	
<p>Texas Military Heroes Day (SB 1901)</p>	<p>TEC Chapter 29 amended by adding Sec. 29.9071 (Texas Military Heroes Day) to provide:</p> <ol style="list-style-type: none"> (a) To educate students about the sacrifices made by brave Texans who have served in the armed forces of the United States, the governor shall designate a day to be known as Texas Military Heroes Day in public schools. (b) Texas Military Heroes Day shall include appropriate instruction, as determined by each school district. Instruction may include: <ol style="list-style-type: none"> (1) information about persons who have served in the armed forces of the United States and are from the community or the geographic area in which the district is located; and (2) participation, in person or using technology, in age-appropriate learning projects at battlefields and gravesites associated with a person who has served in the armed forces. (c) TEA may collaborate with other state agencies to promote Texas Military Heroes Day. 	



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2017-18 School Year		
Assessment		
Topic	Summary	Considerations
<p>Exit Level Assessments for Students Who Entered 9th Grade Prior to 2011-12 (SB 1005)</p>	<p>TEC Sec. 39.025 amended by amending subsection (f)(2) and adding subsections (f-1) and (f-2) to provide:</p> <p>(f)(2) a student who entered a grade above the 9th grade during the 2011-12 school year or who repeated 9th grade during the 2011-12 school year may not receive a high school diploma unless the student has performed satisfactorily on the SAT, the ACT, the TSI diagnostic assessment, or the current assessment instrument or instruments administered for graduation purposes (i.e. STAAR EOCs) as provided by Subsection (f-1), or on each required assessment instrument administered under Section 39.023(c), as that section existed before amendment by S.B. 1031 in 2007 (i.e., Exit-Level TAKS).</p> <p>(f-1) The commissioner shall establish satisfactory performance levels for the SAT, the ACT, the TSI diagnostic assessment, and the current assessment instrument or instruments administered for graduation purposes (i.e. STAAR EOCs) that are <u>equivalent in rigor to the performance level required to be met on Exit-Level TAKS</u>, that qualify a student who entered a grade above the 9th grade during the 2011-12 school year or who repeated 9th grade during the 2011-12 school year to receive a high school diploma. Notwithstanding Subsection (f), the commissioner is not required after September 1, 2017, to maintain and administer Exit Level TAKS.</p> <p>(f-2) A school district shall determine which assessment or assessments described by Subsection (f-1) qualify a student subject to Subsection (f)(1) to receive a high school diploma from the district.</p>	<p>TEA is required to establish standards on ACT, SAT, TSIA, and STAAR that are equivalent to the passing standard on Exit-Level TAKS (i.e., 2100)</p>
<p>Study of Statewide Assessment Program for Students Receiving Special Education Services (HB 2130)</p>	<p>TEC Sec. 39.02302 (Study of Statewide Assessment Program in Relation to Students in Special Education Programs) added to provide:</p> <p>(a) Using data collected by the agency, including data collected during the 2015-16 and 2017-18 school years, the agency shall conduct a study of the impact of the statewide assessment program on students in a special education program under Subchapter A, Chapter 29.</p> <p>(b) In conducting the study, the agency shall address:</p> <p>(1) whether the agency has determined that the administration of alternate assessment instruments to students in a special education program as provided by Section 39.023(b) [i.e., STAAR Alternate 2] complies with ESSA;</p> <p>(2) whether administering state-required assessment instruments, other than assessment instruments developed or adopted under Section 39.023(b) (i.e. STAAR Alternate 2), to students in a special education program will:</p> <p>(A) provide an accurate assessment of the academic achievement of the students;</p> <p>(B) result in the administration of assessment instruments that are inappropriate for the educational capacity of the students;</p> <p>(C) result in a decrease in the number of students promoted to the next grade level;</p> <p>(D) result in a decrease in graduation rates for the students;</p> <p>(E) result in fewer opportunities to pursue higher education options;</p> <p>(F) result in fewer opportunities for competitive integrated employment for the students; and</p> <p>(G) result in any other: (i) restrictions on the students; (ii) alternative placements for the students; or (iii) limitations on the advancement of the students; and</p> <p>(3) whether making a statutory change that has the effect of exempting students in a special education program from the administration of an assessment instrument under Section 39.023 (i.e., STAAR, STAAR Spanish and STAAR Alternate 2) unless the student's parent or guardian requests such administration would impact the statewide assessment program and the extent of any such impact, including any legal impact.</p> <p>(c) In conducting the study, the agency shall identify specific recommendations to improve the impact of the statewide assessment program on students in a special education program, including recommendations for:</p> <p>(1) any reforms or changes with respect to contracting with assessment instrument vendors;</p> <p>(2) any reforms or changes with respect to improving student grade-level promotion rates and student graduation rates;</p> <p>(3) any reforms or changes with respect to developing allowable accommodations and applying principles of universal design for students during the administration of assessment instruments;</p> <p>(4) any changes to rules adopted by the State Board of Education or the commissioner relating to the development, adoption, or administration of assessment instruments;</p> <p>(5) any statutory changes to this code relating to the development, adoption, or administration of assessment instruments; and</p> <p>(6) any additional reforms or changes based on the results of the study.</p> <p>(d) Not later than October 1, 2018, the agency shall submit a report to each member of the legislature containing the agency's determinations and recommendations under this section.</p> <p>(e) The agency shall publish on the agency's Internet website the report submitted under Subsection (d), all data on which the agency relied to form the basis of the agency's determinations and recommendations, and the methodologies the agency used to conduct the study.</p>	
<p>College Prep Assessments (SB 825)</p>	<p>TEC Sec. 39.0261(a) amended to provide that districts are no longer required, each school year and at state cost, to administer an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument to 8th grade students in the spring and to 10th grade students at some point during the year. Districts may administer such assessments at state cost, but are no longer required to.</p>	



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2017-18 School Year		
Assessment		
Topic	Summary	Considerations
<p>Armed Services Vocational Aptitude Battery (ASVAB) Test (SB 1843)</p>	<p>TEC Chapter 29 amended by adding Sec. 29.9015 (Armed Services Vocational Aptitude Battery Test) to provide</p> <ul style="list-style-type: none"> (a) Except as provided by Subsection (d) or (e), each school year each school district and open-enrollment charter school shall provide students in grades 10 through 12 an opportunity to take the ASVAB test and consult with a military recruiter. (b) The test under Subsection (a) must be scheduled during normal school hours, and, to optimize student participation, at a time that limits conflicts with extracurricular activities. (c) Each school district and open-enrollment charter school shall provide each student in grades 10 through 12 and the student’s parent a notice of the date, time, and location of the scheduled administration of the ASVAB test. (d) A school district or open-enrollment charter school may elect not to provide the ASVAB test only if the district or school provides an alternative test that: <ul style="list-style-type: none"> (1) assesses a student’s aptitude for success in a career field other than a career field that requires postsecondary education; (2) is free to administer; (3) requires minimal training and support of district or school faculty and staff to administer the test; and (4) provides the student with a professional interpretation of the test results that allows the student to: (A) explore occupations that are consistent with the student’s interests and skills; and (B) develop strategies to attain the student’s career goals. (f) Not later than August 1 of each year, TEA shall publish a list of school districts and open-enrollment charter schools that elected not to provide the ASVAB test during the previous school year. 	



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2017-18 School Year

Accountability

Topic	Summary	Considerations
<p>A-F Accountability Ratings (HB 22)</p>	<p>TEC Sec. 39.053(c) amended to provide that school districts and campuses must be evaluated based on three domains of indicators of achievement that include:</p> <ol style="list-style-type: none"> (1) the student achievement domain, which must include: <ol style="list-style-type: none"> (a) for all districts and campuses <ol style="list-style-type: none"> i. for STAAR and STAAR Spanish assessments <ul style="list-style-type: none"> • the percentage of students who performed satisfactorily, aggregated across grade levels by subject area; and • the percentage of students who performed at the college readiness performance standard, aggregated across grade levels by subject area; and ii. for STAAR Alternate 2 <ul style="list-style-type: none"> • the percentage of students who performed satisfactorily, aggregated across grade levels by subject area (b) for high school campuses and districts that include high school campuses <ol style="list-style-type: none"> i. 11 statutorily required indicators (including graduation rate, satisfying standards on TSIA, satisfying standards on AP or similar tests, earning dual course credits, enlisting in the armed forces of the US, earning industry certifications, admission into postsecondary industry certification programs that require as a prerequisite for entrance successful performance at the secondary level, being prepared to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree based on successful completion of a course or courses under Section 28.014, being prepared to enroll and succeed, without remediation, in an entry-level general education course for a baccalaureate degree or associate degree based on a composite of indicators identified through research, successfully completing an OnRamps dual enrollment course, and awarding of an associate's degree) (2) the school progress domain, which must include: <ol style="list-style-type: none"> (a) the percentage of students who met the standard for improvement, as determined by the commissioner, on assessment instruments (including STAAR, STAAR Spanish and STAAR Alternate 2)), and (b) for evaluating relative performance, the performance of districts and campuses compared to similar districts or campuses (3) the closing the gaps domain, which must include the use of disaggregated data to demonstrate the differentials among students from different racial and ethnic groups, socioeconomic backgrounds, and other factors (including students formerly receiving special education services, students continuously enrolled, and students who are mobile) <p>TEC Sec. 39.053(f) amended to provide that annually, the commissioner shall define the state standard for the current school year for each achievement indicator adopted under this section. In consultation with educators, parents, and business and industry representatives, as necessary, the commissioner shall establish and modify standards to continuously improve student performance to achieve the goals of eliminating achievement gaps based on race, ethnicity, and socioeconomic status and to ensure this state is a national leader in preparing students for postsecondary success</p> <p>TEC Sec. 39.054(a) amended to provide that the commissioner shall adopt rules to evaluate school district and campus performance and assign each district and campus an overall rating of A, B, C, D or F and a rating of A, B, C, D or F to each of the 3 domains defined in Sec. 39.053(c). Each letter grade means the following:</p> <ul style="list-style-type: none"> • An overall or domain performance rating of A reflects exemplary performance • An overall or domain performance rating of B reflects recognized performance • An overall or domain performance rating of C reflects acceptable performance • An overall or domain performance rating of D reflects performance that needs improvement • An overall or domain performance rating of F reflects unacceptable performance <p>A reference in law to an acceptable rating or acceptable performance includes an overall or domain performance rating of <i>A, B, C, or D</i></p> <p>TEC Sec. 39.054(a-1) amended to provide that for purposes of assigning an overall performance rating for a district or campus, the commissioner shall:</p> <ol style="list-style-type: none"> (1) consider either the district 's or campus 's performance rating under the student achievement domain or the school progress domain, whichever performance rating is higher (unless the district or campus received a performance rating of F in either domain, in which case the district or campus may not be assigned a performance rating higher than a B for the composite for the two domains), and (2) attribute not less than 30% of the performance rating to the closing the gaps domain <p>TEC Sec. 39.054(a-4) amended to provide that for performance ratings issued in August 2018 for the 2017-18 school year for campus performance, the commissioner shall issue only a rating of improvement required or met standard, as applicable, to a campus. [Not later than January 1, 2019, the commissioner shall submit a report to the standing committees of the legislature having primary jurisdiction over primary and secondary education that provides for a preliminary evaluation of campuses under Sec. 39.054. The report must include the overall and domain performance rating each campus would have received for the 2017-18 school year if the indicators adopted by the commissioner existed during the 2017-18 school year.]</p> <p>TEC Sec. 39.054(b) amended to provide that for purposes of assigning school districts and campuses an overall and a domain performance rating of A, B, C, D or F, the commissioner shall ensure that the method used to evaluate performance is implemented in a manner that provides the mathematical possibility that all districts and campuses receive an A rating.</p>	



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2017-18 School Year

Accountability		
Topic	Summary	Considerations
Local Accountability System (HB 22)	<p>TEC Sec. 39.0544 added to allow districts to adopt local accountability systems for assigning performance ratings to campuses in the district.</p> <p>(a) The commissioner shall adopt rules regarding the assignment of campus performance ratings by school districts and open-enrollment charter schools. The rules:</p> <ol style="list-style-type: none"> (1) must require a district or school, in assigning an overall performance rating for a campus, to incorporate: <ol style="list-style-type: none"> (A) domain performance ratings assigned by the commissioner under Section 39.054; and (B) performance ratings based on locally developed domains or sets of accountability measures; (2) may permit a district or school to assign weights to each domain or set of accountability measures described in Subdivision (1), as determined by the district or school, provided that the domains specified in Subdivision (1)(A) must in the aggregate account for at least 50 percent of the overall performance rating; (3) must require that each locally developed domain or set of accountability measures: <ol style="list-style-type: none"> (A) contains levels of performance that allow for differentiation, with assigned standards for achieving the differentiated levels; (B) provides for the assignment of a letter grade of A, B, C, D, or F; and (C) meets standards for reliability and validity; (4) must require that calculations for overall performance ratings and each locally developed domain or set of accountability measures be capable of being audited by a 3rd party (5) must require that a district or school produce a campus score card that may be displayed on the agency's website; and (6) must require that a district or school develop and make available to the public an explanation of the methodology used to assign performance ratings under this section. <p>(b) The commissioner shall develop a process to approve a request by a school district or open-enrollment charter school to assign campus performance ratings in accordance with this section. Under that process, a district or school must obtain approval of a local accountability plan submitted by the district or school to the agency. A plan may be approved only if:</p> <ol style="list-style-type: none"> (1) after review, the agency determines the plan meets the minimum requirements under this section and agency rule (2) at the commissioner's discretion, an audit conducted by the agency verifies the calculations included in the plan; and (3) subject to Subsection (d), a review panel appointed under Subsection (c) approves the plan. <p>(c) The commissioner shall appoint a review panel for purposes of Subsection (b)(3) that includes a majority of members who are superintendents or members of the board of trustees or governing body of school districts or open-enrollment charter schools with approved local accountability plans.</p> <p>(d) The requirement under Subsection (b)(3) applies only after performance ratings are issued in August 2019 and only if at least 10 school districts or open-enrollment charter schools have obtained approval of locally developed accountability plans.</p> <p>(e) A school district or open-enrollment charter school authorized under this section to assign campus performance ratings shall evaluate the performance of each campus as provided by this section and assign each campus a performance rating of A, B, C, D, or F for overall performance and for each locally developed domain or set of accountability measures. Not later than a date established by the commissioner, the district or school shall:</p> <ol style="list-style-type: none"> (1) report the performance ratings to the agency; and (2) make the performance ratings available to the public as provided by commissioner rule. <p>TEC Sec. 39.054(a) amended to provide that if a school district has been approved under Section 39.0544 to assign campus performance ratings based on a local accountability system and the commissioner has not assigned a campus an overall performance rating of D or F, the commissioner shall assign the campus an overall performance rating based on the school district assigned performance rating under Section 39.0544</p>	
Needs Improvement Rating [Letter Grade of D] (HB 22)	<p>TEC Sec. 39.101 added to provide that if a school district or campus is assigned an overall or domain performance rating of D, the commissioner shall order the district or campus to develop and implement a targeted improvement plan approved by the board of trustees of the district. The interventions and sanctions provided under Chapter 39 based on failure to satisfy performance standards under Sec. 39.054(e) apply to a district or campus ordered to develop and implement such a targeted improvement plan only if the district or campus is assigned:</p> <ol style="list-style-type: none"> 1. an overall or domain performance rating of F; or 2. an overall performance rating of D <p>If a school district or campus is assigned an overall performance rating of D for a school year after the district or campus is ordered to develop and implement a targeted improvement plan the commissioner shall implement interventions and sanctions that apply to an unacceptable campus and those interventions and sanctions shall continue for each consecutive school year thereafter in which the campus is assigned an overall performance rating of D.</p>	
Repeal of CaSE Requirements (HB 22)	<p>TEC Sec. 39.0545 (School District Evaluation of Performance in Community and Student Engagement: Compliance) and TEC Sec. 39.0546 (Performance in Community and Student Engagement as Component of Overall District and Campus Ratings) are REPEALED – effective as of the beginning of the 2017-18 school year.</p> <p>[For more information about CaSE ratings, see the lead4ward CaSE quicklook posted on the Accountability tab at: http://lead4ward.com/resources/]</p>	



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2017-18 School Year

Accountability

Topic	Summary	Considerations
<p>Campus Intervention Teams and Campus Turnaround Plans (HB 2263)</p>	<p>TEC Sec. 39.106(e) amended to eliminate the requirement that a campus intervention team formed as a result of the assignment of an unacceptable rating to a campus continue to work with the campus until the campus satisfies all performance standards under Section 39.054(e) for a two-year period or the campus satisfies all performance standards under Section 39.054(e) for a one-year period and the commissioner determines that the campus is operating and will continue to operate in a manner that improves student achievement.</p> <p><i>(The amendment to Sec. 39.106(e) means that a campus intervention team will work with a campus each year that a campus is assigned an unacceptable performance rating.)</i></p> <p>TEC Sec.39.107 amended by adding subsections (b-10) and (b-11) to provide:</p> <p>(b-10) Not later than June 15 of each year, the commissioner shall, in writing, either approve or reject any campus turnaround plan prepared and submitted to the commissioner by a district. If the commissioner rejects a campus turnaround plan, the commissioner must also send the district an outline of the specific concerns regarding the turnaround plan that resulted in the rejection.</p> <p>(b-11) If the commissioner rejects a campus turnaround plan, the district must create a modified plan with assistance from agency staff and submit the modified plan to the commissioner for approval not later than the 60th day after the date the commissioner rejects the campus turnaround plan. The commissioner shall notify the district in writing of the commissioner’s decision regarding the modified plan not later than the 15th day after the date the commissioner receives the modified plan.</p>	
<p>Charter School Operation of a District Campus (SB 1882)</p>	<p>TEC Chapter 11 amended by adding Section 11.174 (Contract Regarding Operation of District Campus) to provide:</p> <p>(a) A school district campus qualifies for an exemption from intervention as provided by Subsection (f) and qualifies for funding as provided by Section 42.2511 if the board of trustees of the district contracts to partner to operate the district campus as provided by this section with:</p> <ol style="list-style-type: none"> (1) the governing body of an open-enrollment charter school; or (2) on approval by the commissioner, an entity granted a charter by the district under Subchapter C, Chapter 12, that is eligible to be awarded a charter under Section 12.101(a). <p>(e) The commissioner shall continue to evaluate and assign overall and domain performance ratings under Section 39.054 to a district campus subject to a contract described by Subsection (a).</p> <p>(f) This subsection applies only to a district campus subject to a contract described by Subsection (a) that received an overall performance rating of unacceptable under Subchapter C, Chapter 39, for the school year before operation of the district campus under the contract began. The commissioner may not impose a sanction or take action against the campus under Section 39.107(a) or (e) for failure to satisfy academic performance standards during the first two school years of operation of a district campus under Subsection (a). The overall performance rating received by the campus during those first two school years is not included in calculating consecutive school years and is not considered a break in consecutive school years under Section 39.107(a) or (e).</p> <p>(g) A campus that receives an exemption from a sanction or other action under Subsection (f) may receive another exemption while operating under a subsequent contract only if the campus receives approval for the exemption from the commissioner.</p>	
<p>Extracurricular and Cocurricular Student Activity Indicator (HB 22)</p>	<p>TEA Sec. 39.0533 added to require the commissioner to study the feasibility of incorporating as part of the process of evaluating school district and campus performance under this subchapter an indicator that accounts for extracurricular and cocurricular student activity. If the commissioner determines that an extracurricular and cocurricular student activity indicator is appropriate, the commissioner may adopt the indicator. The commissioner may establish an advisory committee to assist in determining the feasibility of incorporating an extracurricular and cocurricular student activity indicator for evaluating school district and campus performance. Not later than December 1, 2022, the commissioner shall report to the legislature on the feasibility of incorporating an extracurricular and cocurricular student activity indicator, unless the commissioner adopts an indicator under this section before that date.</p>	
<p>Explanatory Materials for Accountability Rating System (HB 22)</p>	<p>TEC Sec. 39.0542 added to provide that</p> <p>(a) Each school year, the commissioner shall provide each school district a document in a simple, accessible format that explains the accountability performance measures, methods, and procedures that will be applied for that school year in assigning each school district and campus a performance rating under Section 39.054.</p> <p>(b) The document provided under Subsection (a) must be provided in a format that a school district is able to easily distribute to parents of students enrolled in the district and other interested members of the public.</p> <p>(c) The commissioner, in collaboration with interested stakeholders, shall develop standardized language for each domain that does not exceed 250 words and that clearly describes the annual status of a district and campus relating to district and campus performance on the indicators used for that domain to determine the letter performance rating assigned to a district and campus.</p>	
<p>Public Education Grants (HB 22)</p>	<p>TEC Sec 29.202(a) amended to provide that a student is eligible to receive a public education grant or to attend another public school in the district in which the student resides if the student is assigned to attend a public school campus assigned an unacceptable performance rating that is made publicly available under Sec. 39.054 for:</p> <ol style="list-style-type: none"> (1) the student achievement domain under Sec. 39.053(c)(1); or (2) the school progress domain under Sec. 39.053(c)(2) <p><i>Comment: Greatly simplifies PEG methodology. No longer based on <50% pass rate in any subject area in any 2 of the preceding 3 years or an Improvement Required rating in any of the preceding 3 years. Not clear how this will apply following 2017-18 school year, since campuses will not be rated on the new domains in 2017-18</i></p>	
<p>Acct. Advisory Committee (HB 22)</p>	<p>TEC Sec. 39.001 added to provide that the commissioner shall adopt rules as necessary to administer Chapter 39 (Public School System Accountability) and that in adopting a rule under Chapter 39, the commissioner shall solicit input statewide from persons who would likely be affected by the proposed rule, including school district boards of trustees, administrators and teachers employed by school districts, parents of students enrolled in school districts, and other interested stakeholders.</p>	



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Accountability

Topic	Summary	Considerations
<p>IHE Assistance for Districts (HB 1553)</p>	<p>TEC Sec. 39.102(a) amended to provide that one of the actions the commissioner may take if a district fails to meet academic performance standards is to authorize the district to enter into a memorandum of understanding with an institution of higher education that provides for the assistance of the institution of higher education in improving the district’s performance.</p>	
<p>Special Education Monitoring (SB 160)</p>	<p>TEC Sec. 29.0011 (Prohibited Performance Indicator) added to provide:</p> <ul style="list-style-type: none"> (a) Notwithstanding Section 29.001(5), Section 29.010, or any other provision of this code, TEA may not adopt or implement a performance indicator in any agency monitoring system, including the performance-based monitoring analysis system, that solely measures a school district’s or open-enrollment charter school’s aggregated number or percentage of enrolled students who receive special education services. (b) Subsection (a) does not prohibit or limit TEA from meeting requirements under: <ul style="list-style-type: none"> (1) 20 U.S.C. Section 1418(d) and its implementing regulations to collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the state and in the school districts and open-enrollment charter schools in the state with respect to the: <ul style="list-style-type: none"> (A) identification of children as children with disabilities, including the identification of children as children with particular impairments; (B) placement of children with disabilities in particular educational settings; and (C) incidence, duration, and type of disciplinary actions taken against children with disabilities, including suspensions and expulsions; or (2) 20 U.S.C. Section 1416(a)(3)(C) and its implementing regulations to address in the statewide plan the percentage of school districts and open-enrollment charter schools with disproportionate representation of racial and ethnic groups in special education and related services and in specific disability categories that results from inappropriate identification. 	



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Topic	Summary	Considerations
Advanced Computer Science Program (HB 728)	<p>TEC Sec. 28.018 (Advanced Computer Science Program) added to provide:</p> <p>(a) The SBOE by rule shall develop and implement a program under which:</p> <ol style="list-style-type: none"> (1) students in participating school districts may comply with the curriculum requirements for an advanced mathematics credit under Section 28.025(b-1)(2) or an advanced science credit under Section 28.025(b-1)(3) by successfully completing an advanced computer science course; and (2) participating school districts implement rigorous standards, as developed by the SBOE, for advanced computer science courses that are focused on the creation and use of software and computing technologies. <p>The commissioner shall adopt rules as necessary to administer this section.</p> <p>The State Board of Education shall establish this program not later than September 1, 2018, for implementation during the 2018-2019 school year.</p>	<p style="text-align: center;"></p> <p style="text-align: center;"></p>
Dual Credit Programs (HB 1638)	<p>TEC Sec. 28.009 amended by adding Subsections (b-1) and (b-2) to read as follows:</p> <p>(b-1) TEA and the THECB jointly shall develop statewide goals for dual credit programs, including early college high school programs, career and technical education dual credit programs, and joint high school and college credit programs provided under Section 130.008, to provide uniform standards for evaluating those programs. The goals must address, at a minimum:</p> <ol style="list-style-type: none"> (1) a dual credit program 's achievement of enrollment in and acceleration through postsecondary education; (2) performance in college-level coursework; and (3) the development of an effective bridge between secondary and postsecondary education in the state. <p>(b-2) Any agreement, including an MOU or articulation agreement, between a school district and public institution of higher education to provide a dual credit program described by Subsection (b-1) must:</p> <ol style="list-style-type: none"> (1) include specific program goals aligned with the statewide goals developed under Subsection (b-1); (2) establish, or provide a procedure for establishing, the course credits that may be earned under the agreement, including by developing a course equivalency crosswalk or other method for equating high school courses with college courses and identifying the number of credits that may be earned for each course completed through the program; (3) describe the academic supports and, if applicable, guidance that will be provided to students participating in the program; (4) establish the district 's and the institution 's respective roles and responsibilities in providing the program and ensuring the quality and instructional rigor of the program; (5) state the sources of funding for courses offered under the program, including, at a minimum, the sources of funding for tuition, transportation, and any required fees or textbooks for students participating in the program; and (6) be posted each year on the district 's and the institution 's respective Internet websites. <p>TEA and THECB shall develop statewide goals by August 31, 2018.</p>	<p style="text-align: center;"></p> <p>Sec. 28.009(b-2) applies only to an agreement to provide a dual credit program entered into or renewed on or after September 1, 2018.</p>
Transition Planning (HB 1886 SB 748)	<p>TEC Sections 29.011, 29.012 and 29.017 amended to add requirements relating to: participation of appropriate individuals in transition planning for students receiving special education services; specific issues and services to be considered by the ARD committee in transition planning; requirements for TEA to review training guidelines for district transition representatives; requirements relating to explanation of the transition planning process.</p>	<p style="text-align: center;"></p>
Operation of Schools (HB 2442)	<p>TEC Sec. 25.082(a) – which requires that a school day be at least 7 hours – repealed.</p> <p>TEC Sec. 25.081(a) amended to clarify that for each school year “each school district must operate for at least 75,600 minutes, including time allocated for instruction, intermissions, and recesses for students.”</p> <p>TEC Sec. 25.081(d) amended to provide:</p> <p>(d) The commissioner may adopt rules to implement this section, including rules:</p> <ol style="list-style-type: none"> (1) for the application, on the basis of the minimum minutes of operation required by Subsection (a), of any provision of this title that refers to a minimum number of days of instruction under this section; (2) to determine the minutes of operation that are equivalent to a day; (3) defining minutes of operation and instructional time; and (4) establishing the minimum number of minutes of instructional time required for a full-day and a half-day program to meet the time requirements under Subsection (a). 	<p style="text-align: center;"></p>





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Topic	Summary	Considerations
<p>Inventory of Credentials and Certificates (HB 2729)</p>	<p>TEC Sec. 29.189 (Inventory of Credentials and Certificates) added to provide:</p> <p>(b) TEA, THECB and the Texas Workforce Commission shall jointly develop and post on their respective Internet websites an inventory of industry-recognized credentials and certificates that may be earned by a public high school student through a CTE program and that:</p> <ol style="list-style-type: none"> (1) are aligned to state and regional workforce needs; and (2) serve as an entry point to middle- and high-wage jobs. <p>(c) The inventory must include for each credential or certificate:</p> <ol style="list-style-type: none"> (1) the associated career cluster; (2) the awarding entity; (3) the level of education required and any additional requirements for the credential or certificate; (4) any fees for obtaining the credential or certificate; and (5) the average wage or salary for jobs that require or prefer the credential or certificate. <p>(d) Each year, TEA, the THECB, and TWC jointly shall:</p> <ol style="list-style-type: none"> (1) review and, if necessary, update the inventory; and (2) provide a copy of the inventory to each school district and public institution of higher education that offers a career and technology education program to public high school students. 	<p style="text-align: center;"></p> <p>TEA, THECB, and TWC shall post the required inventory on their respective websites by September 1, 2018</p>
<p>Instructional Materials Web Portal (HB 3526 SB 810)</p>	<p>TEC Chapter 31 amended by adding Subchapter B-2 (Instructional Materials Web Portal) to provide:</p> <p>Sec. 31.081. INSTRUCTIONAL MATERIALS WEB PORTAL.</p> <p>(a) The commissioner shall develop and maintain a web portal to assist school districts and open-enrollment charter schools in selecting instructional materials under Section 31.101.</p> <p>(b) The web portal must include general information such as price, computer system requirements, and any other relevant specifications for each instructional material:</p> <ol style="list-style-type: none"> (1) on the instructional materials list, including the list adopted under Section 31.0231; or (2) submitted by a publisher for inclusion in the web portal. <p>(c) The commissioner by rule shall establish the procedure by which a publisher may submit instructional materials for inclusion in the web portal.</p> <p>(d) The commissioner shall use a competitive process to contract for the development of the web portal.</p> <p>(e) The commissioner shall use money in the state technology and instructional materials fund to pay any expenses associated with the web portal.</p> <p>Sec. 31.082. QUALITY OF INSTRUCTIONAL MATERIALS SUBMITTED BY PUBLISHER.</p> <p>(a) The commissioner shall contract with a private entity to conduct an independent analysis of each instructional material submitted by a publisher for inclusion in the web portal developed under Section 31.081. The analysis must:</p> <ol style="list-style-type: none"> (1) evaluate the quality of the material; and (2) determine the extent to which the material covers the essential knowledge and skills identified under Section 28.002 for the subject and grade level for which the material is intended to be used, including an identification of: <ol style="list-style-type: none"> (A) each of the essential knowledge and skills for the subject and grade level or levels covered by the material; and (B) the percentage of the essential knowledge and skills for the subject and grade level or levels covered by the material. <p>(b) The commissioner shall include in the web portal developed under Section 31.081 the results of each analysis conducted under Subsection (a).</p> <p>Sec. 31.083. INSTRUCTIONAL MATERIALS REPOSITORY.</p> <p>(a) In this section, "open educational resource" means a teaching, learning, or research resource that is in the public domain or has been released under an intellectual property license that permits the free use and repurposing of the resource by any person. The term may include full course curricula, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.</p> <p>(b) The commissioner shall include in the web portal developed under Section 31.081 a repository of open educational resources and other electronic instructional materials that school districts and open-enrollment charter schools may access at no cost, including state-developed open-source instructional materials purchased under Subchapter B-1.</p> <p>(c) A publisher may submit instructional materials for inclusion in the repository.</p>	<p style="text-align: center;"></p> <p>The commissioner may adopt rules as necessary to implement this subchapter.</p> <p>The commissioner shall develop the web portal not later than September 1, 2018</p>



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Topic	Summary	Considerations
<p>Establishment of P-TECH Program (SB 22)</p>	<p>TEC Chapter 61 amended to repeal Subchapter T (Tech Prep Education)</p> <p>TEC Chapter 29 amended to add Subchapter N (Pathways in Technology Early College High School (P-TECH) Program) which sets forth requirements relating to the establishment and implementation of a P-TECH program including:</p> <p>Sec. 29.553. P-TECH PROGRAM.</p> <p>(a) The commissioner shall establish and administer a P-TECH program for students who wish to participate in a work-based education program.</p> <p>(b) The P-TECH program must:</p> <ol style="list-style-type: none"> (1) be open enrollment; (2) provide for a course of study that enables a participating student in grade levels 9 through 12 to combine high school courses and postsecondary courses; (3) allow a participating student to complete high school and, on or before the sixth anniversary of the date of the student 's first day of high school: <ol style="list-style-type: none"> (A) receive a high school diploma and an associate degree, a two-year postsecondary certificate, or industry certification; and (B) complete work-based training through an internship, apprenticeship, or other job training program; (4) include: <ol style="list-style-type: none"> (A) articulation agreements with institutions of higher education in this state to provide a participating student access to postsecondary educational and training opportunities at an institution of higher education; and (B) memoranda of understanding with regional industry or business partners in this state to provide a participating student access to work-based training and education; and (5) provide a participating student flexibility in class scheduling and academic mentoring. <p>(c) Each articulation agreement under Subsection (b)(4)(A) must address:</p> <ol style="list-style-type: none"> (1) curriculum alignment; (2) instructional materials; (3) the instructional calendar; (4) courses of study; (5) student enrollment and attendance; (6) grading periods and policies; and (7) administration of statewide assessment instruments under Subchapter B, Chapter 39. <p>(d) Each MOU under Subsection (b)(4)(B) must include an agreement that the regional industry or business partner will give to a student who receives work-based training or education from the partner under the P-TECH program first priority in interviewing for any jobs for which the student is qualified that are available on the student 's completion of the program.</p> <p>Sec. 29.556. P-TECH SCHOOL DESIGNATION AND GRANT PROGRAM.</p> <p>(a) A school district or open-enrollment charter school that implements or seeks to implement the P-TECH program at a campus may apply to the commissioner for designation of the campus as a P-TECH school in accordance with procedures established by the commissioner.</p>	
<p>Curriculum Regarding Interaction with Peace Officers (SB 30)</p>	<p>TEC Sec. 28.012 added to require the SBOE and the Texas Commission on Law Enforcement, by September 1, 2018, to develop instruction, including curriculum and instructional modules, on proper interaction with peace officers during traffic stops and other in-person encounters.</p> <p>(b) ... The instruction must include information regarding:</p> <ol style="list-style-type: none"> (1) the role of law enforcement and the duties and responsibilities of peace officers; (2) a person's rights concerning interactions with peace officers; (3) proper behavior for civilians and peace officers during interactions; (4) laws regarding questioning and detention by peace officers, including any law requiring a person to present proof of identity to a peace officer, and the consequences for a person's or officer's failure to comply with those laws; and (5) how and where to file a complaint against or a compliment on behalf of a peace officer. <p>(e) Subject to rules adopted by the board, a school district or open-enrollment charter school may tailor the instruction developed under this section as appropriate for the district 's or school 's community. In tailoring the instruction, the district or school shall solicit input from local law enforcement agencies, driver training schools, and the community.</p>	<p>SBOE</p> <p>The SBOE shall adopt rules to include the instruction developed under Section 28.012 in one or more courses in the required curriculum for students in grade levels 9 through 12 (TEC Sec. 28.025(b-20))</p>