

Bills Related to the Board's Legislative Priorities and Positions for the 80th Legislative Session

LEGISLATIVE PRIORITIES

FINANCE

CHAPTER 41: Support the elimination of Chapter 41 recapture. As an alternative, support increasing the equalized wealth level from \$319,500 to \$400,000.

HB 80 Branch: Relating to the adjustment under the public school finance system for optional homestead exemptions granted by public school districts.

Remarks: Requires the commissioner to adjust state funding for optional homestead exemption, but only if funds are available.

COST OF EDUCATION INDEX: Support development and use of a biennially updated index that captures all district costs and increases State funding annually to meet cost increases due to the combination of growth and inflation.

SB 71 Lucio: Relating to creation of an inflation adjustment to salaries for classroom teachers and certain other professional staff employed by school districts.

Remarks: Requires an automatic salary increase for teachers, counselors, nurses, and librarians to be adjusted annually for inflation. Adds hold harmless state aid in the amount necessary to cover the cost of the salary increase.

SB 1602 West, Royce: Relating to public school finance.

Remarks: Counts state aid for hold-harmless purposes against chapter 41 costs. Prohibits the use of the ASF for financing the foundation school program. ASF funds may not be used to reduce other state funds to which a district is entitled. Repeals the provision applying 50 percent of the CEI to the Tier II allotment. Applies the mid-sized adjustment to chapter 41 districts. Repeals several old-law hold harmless provisions. Repeals efficiency credits for chapter 41 agreements.

HB 131 Truitt: Relating to the cost of education adjustment under the Foundation School Program.

Remarks: Provides for the gradual update of the CEI based on research by an organization independent of TEA and LBB.

HB 213 Isett: Relating to the constitutional limitation on the rate of growth of state appropriations and the constitutional creation of three special funds to replace the economic stabilization fund.

Remarks: Limits the growth of appropriations from current biennium to next, with the exception of federal funds, by population growth and estimated rate of inflation.

HB 213 is the enabling legislation for HJR 29: Proposing a constitutional amendment concerning the restriction on the rate of growth of state appropriations and establishing three special funds to replace the economic stabilization fund.

HB 250 Riddle: Relating to the constitutional limitation on the rate of growth of state appropriations.

Remarks: Changes the limitation on the rate of growth in appropriations to the rate of growth in the state population plus inflation (from the rate of growth in the state's economy). Changes the calculation of growth to include all sources of revenue except federal revenue (from state tax revenue not constitutionally dedicated).

HB 250 is the enabling legislation for HJR 33: Proposing a constitutional amendment concerning the restriction on the rate of growth of state appropriations.

HB 260 Callegari: Relating to the constitutional limit on the rate of growth of appropriations and the use of surplus state revenues.

Remarks: Changes the calculation of the limitation on the rate of growth of appropriations to include all sources of revenue other than federal revenue (from state tax revenue not constitutionally dedicated). Appropriations growth is limited to population change plus inflation (changed from growth in the state's economy). If population and inflation are negative, the appropriation must decline. Allows the Legislative Budget Board to declare a sales tax holiday for certain items costing less than \$500.

HB 260 is the enabling legislation for HJR 34: Proposing a constitutional amendment concerning the limitation on the rate of growth of state appropriations and the use of unencumbered surplus state revenues to finance a state sales tax holiday.

HB 3456 Hochberg: Relating to public school finance.

Remarks: Increases the basic allotment, guaranteed yield in Tier I a, and equalized wealth level to the 95th percentile and applies the basic allotment to the first 95 cents of tax effort (from 86). Increases compensatory education weight to .25 (from .2). Applies compensatory education set asides to chapter 41 districts. Increases bilingual weight to .15 (from .1). Provides for update to the cost of education index based on a 4 year phase in. Require biennial update of CEI by LBB. Adds an inflation factor to the salary provisions enacted by HB 1.

LOCAL ENRICHMENT: Support voter approved local enrichment in excess of 2% to allow school districts to supplement funding to meet community expectations.

PRE-K TUITION GRANT: Support the continuation of the Pre-K tuition grant.

SB 264 Ellis, Rodney: Relating to the availability of free prekindergarten programs in public schools.

Remarks: Provides universal pre-k to all children who are at least four years of age.

HB 1 Chisum: Relating to appropriations for the 2008-2009 biennium.

Remarks: Same as SB 1

VOUCHERS: Oppose private school vouchers, tuition tax credits, and other such programs funded with public tax dollars unless the private/charter school that receives voucher funds will agree to admit and retain any student who presents a voucher, regardless of race, socio-economic status, learning disability, English language proficiency, and/or physical/mental limitations. Additionally, the private/charter school agrees to adhere to the same financial and academic accountability standards of all public schools in the state.

- SB 1506 Janek:** Relating to an urban school choice pilot program for certain public school students.
- Remarks:** Creates school choice program for districts that are in a county with a population of more than 750,000 and the district is the largest district in the county in which a majority of students are economically disadvantaged or have a least 90 percent of economically disadvantaged in the preceding school year. A student is eligible to participate if he/she resides in a household that does not exceed 200 percent of the qualifying income for free/reduced price lunch and if the student has dropped out, is starting school for the first time, is at-risking of dropping out, is a victim of violence occurring at campus, or is eligible for special education program.
- SB 1513 West, Royce:** Relating to a dropout prevention and opportunity program for public school students who have dropped out of school or are at risk of dropping out of school.
- Remarks:** Students defined as at risk of dropping out of school can receive services from a public school, a charter school, a community college, an institution of higher education, an Internet degree program, or an accredited private school. The commissioner shall allocate the service provider the amount of state and local revenue to which the school district in which the student resides would have been provided if the student attended school in that district. Students receive a \$1000 bonus for graduating under the program which can be shared with the provider.
- HB 18 Corte:** Relating to creation of a public education voucher pilot program for certain children.
- Remarks:** Provides vouchers to educationally disadvantaged children attending one of the state's largest six districts. Children must have been enrolled in the district during the preceding school year or be enrolling for the first time in grades pre-k, k, or 1. The student must also have failed the most recent state assessment or be eligible to attend another public school through PEG but have had the application rejected. The amount of the voucher is the average per student state and local M&O funding for the preceding school year, excluding ASF funds. The voucher student is counted in average daily attendance and the home school district is responsible for paying the private school on behalf of the child.
- HB 19 Corte:** Relating to a school choice program for certain students with disabilities.
- Remarks:** Voucher program for students with disabilities.
- HB 277 Madden:** Relating to the creation and operation of a state virtual school network to provide education to students through electronic means.
- Remarks:** Creates state virtual school network that must be in compliance with state standards with respect to teachers, courses, testing, and accountability. The courses will be approved by the Virtual Schools Network Board. Funding will be offered by course and will flow through the Board. The state bears the cost of operating the virtual network. The bill would entitle the home district or charter to funding equal to the course cost established by the SBOE (maximum of \$400) plus 20% for students enrolled in that district who are participating in an electronic course. Districts may enter into agreements with other districts and charter schools to provide electronic courses for their students, and retain 20% of the course cost to cover administrative expenses. For students not enrolled in a district or charter, the bill would direct foundation school program funds in an amount established by the SBOE (maximum of \$350 per course). Participation for non-enrolled students would be limited to 6,000 electronic courses in 2006-07 and 15,000 in 2007-08. The limitation would expire August 1, 2008.

HB 1569 Goolsby: Relating to participation in school district services and activities by home-schooled students.

Remarks: A home schooled student may enroll in public school in a district as a part-time student if the district and the child's parent agree in writing to the child's enrollment. The student's instructor must provide an affidavit affirming that the student is a full-time student and is satisfying requirements related to no-pass-no-play. A student enrolled may participate in an academic class on the same basis as a regularly enrolled student. A school district may not charge tuition but shall charge all applicable fees charged a regularly enrolled student. A school district may establish a laboratory or other facility for home-schooled students that is not located on a regular school campus. A district can allow a home schooled student to attend a public school to use a facility. A district may offer an on-line course to a home-schooled student for academic credit and may permit a regularly enrolled student to participate in the online course. Home-schooled students participating in public school districts under this section are entitled to free textbooks. Students enrolled in two or more courses or more than two hours of instruction must be assessed through state assessments in subject areas related to areas in which they receive instruction from district. A proportionate amount of the students ADA shall be counted for state funding purposes. A statewide 1,000 limit and \$5 million cost is placed on home-school FTEs under this program.

HJR 25 Raymond: Relating to prohibiting the authorization or funding of an elementary or secondary education voucher program.

Remarks: The legislature may not appropriate money for or authorize a voucher program under which state or local public revenue is used to pay all or any part of the costs of a student's attendance at a private school.

TEACHERS

STAFF SALARIES: Support additional State funding to increase the salaries of teachers, nurses, counselors, and librarians to at least the national average.

SB 71 Lucio: Relating to creation of an inflation adjustment to salaries for classroom teachers and certain other professional staff employed by school districts.

Remarks: Requires an automatic salary increase for teachers, counselors, nurses, and librarians to be adjusted annually for inflation. Adds hold harmless state aid in the amount necessary to cover the cost of the salary increase.

SB 428 Gallegos: Relating to the salary paid to certain professional employees of public schools.

Remarks: Increases salary factors so that teachers with less than 6 years receive a \$2,000 pay raise; 6-11 years receive a \$3,000 pay raise; 11-16 receive a \$4,000 pay raise; and 16 and more a \$5,000 pay raise.

SB 652 Seliger: School district staff salaries

Remarks: This bill appears to be intended to prevent required step increases for districts that pay above statutory minimum.

HB 263 Phillips: Relating to expansion of the minimum salary schedule for certain professional public school employees.

Remarks: Phases in additional step increases in minimum salary schedule for employees with more than 20 years of experience.

- HB 359 McReynolds:** Relating to expansion of the minimum salary schedule for certain professional public school employees.
- Remarks: Adds salary factors for years of experience up to 30 years (phased in through 2017). Provides for additional state aid to cover the cost of the increase as determined by the commissioner.
- HB 517 Farabee:** Relating to the minimum salary schedule for certain public school employees.
- Remarks: Adds counselors and educational diagnosticians certified under Subchapter B, Chapter 21 (SBEC) and speech language pathologists to those employees to minimum salary schedule.
- HB 1025 Bohac:** Relating to the salary paid to certain professional employees of public schools.
- Remarks: Increases the salary factors to provide for \$3,000 pay raise.
- HB 1371 Delisi:** Salary supplement for teachers
- Remarks: A classroom teacher, other than an employed retiree is entitled to an annual salary supplement equal to: (1) \$1,000 for a year in which the sum of the teacher's age and years of service credit in the Teacher Retirement System of Texas equals at least 80 but less than 85; (2) \$2,000 for a year in which the sum of the teacher's age and years of service credit in the Teacher Retirement System of Texas equals at least 85 but less than 90; (3) \$3,000 for a year in which the sum of the teacher's age and years of service credit in the Teacher Retirement System of Texas equals at least 90 but less than 95; and (4) \$4,000 for a year in which the sum of the teacher's age and years of service credit in the Teacher Retirement System of Texas equals at least 95.
- HB 1625 Raymond:** Relating to the salary paid to certain professional employees of public schools.
- Companions: SB 428 (I)
- Remarks: Allows for pay raise depending on years of service: \$2,000 for six years up to \$5,000 for sixteen years of experience.
- HB 1969 Farabee:** Relating to a wage increase for education support staff in public schools.
- Companions: SB 873 (I)
- Remarks: Would increase the wage of an instructional aide from \$500 to \$1000 for fulltime employees and from \$250 to \$500 for part-time employees. School districts are entitled to receive an amount equal to that sum in state aid.
- HB 2071 Guillen:** Relating to the salary paid to certain employees of public schools.
- Remarks: Provides for a \$3,000 salary increase for teachers, counselors, nurses and librarians and full time support staff.
- HB 2408 Strama:** Relating to state funding for annual stipends provided to public school teachers who serve as mentors to other public school teachers.
- Remarks: Would provide mentor teacher stipends in the amount of \$2,000 per teacher for each school year during which the teacher serves as a mentor. If a school district receives insufficient funds to fully fund the stipends, the district shall reduce the stipend the district pays to each teacher serving as a mentor to proportionately.

The agency shall fund the stipends from the educator excellence fund provided that not more than \$150 million may be used for this purpose each fiscal year.

HB 2646 Rose:

Relating to the award of stipends to nationally certified classroom teachers under the educator excellence awards program.

Remarks:

Allows teacher performance funding to provide stipends to classroom teachers who have obtained the national board of professional teaching standards certificate.

TEACHER CERTIFICATION: Support realignment of teacher certification to grades K-5 and grades 6-12 (rather than current K-4, 5-8, 9-12).

STUDENT EDUCATION

ASSESSMENTS: Support allowing school districts to utilize nationally norm-referenced tests and to replace current high school TAKS testing with end of course assessments.

SB 379 Seliger

Relating to the administration of end-of-course assessment instruments in public schools at certain grade levels.

Remarks:

The agency shall adopt end-of-course assessment instruments for each course offered at or above the grade nine level that is a part of the foundation curriculum. A school district shall comply with State Board of Education rules regarding administration of the assessment instruments to students enrolled in the courses for which the assessment instruments were adopted and shall adopt a policy that requires a student's performance on an assessment instrument for a course to account for at least 20 percent and not more than 40 percent of the student's final grade for the course.

SB 1016 West, Royce:

Relating to providing a method for assessing the annual improvement in achievement of public school students on certain assessment instruments.

Remarks:

Provides for new assessments based on improvements in academic achievement.

HB 2236 Eissler

Relating to the administration of certain assessment instruments in public schools.

Companions:

SB 1031 (I)

Remarks:

This bill requires moving to end-of-course assessments for secondary school students. It also changes the assessment for students in grades three through eight by requiring a reading and writing assessment in grades four through eight, adding a social studies assessment in grade 5, and moving the science assessment to grade 4 (from grade 5). End-of-course assessments would be developed for Algebra I, Algebra II, geometry, biology, chemistry, physics, world geography, world history, American history, and English I, II, and III. The assessment shall count as 15 percent of a student's final grade for the course. The assessment instrument must be developed in a way that allows for the measurement of annual improvement in student achievement, must include optional items designed to assess college readiness, and must be developed so they can be administered by computer (the Agency must assess each school district's readiness to deliver all assessments by computer and deliver a report to the legislature by 12/1/08). For graduation purposes, students are required to receive an average scale score of 70 for each assessment they are required to take (students could be required to take a different number of examinations depending on their graduation plan). A student's highest score is used to determine the student's cumulative score (the cumulative score is computed across, rather than with subject areas). The commissioner by rule would

determine a method for allowing IB, SAT subject tests, other examinations to satisfy graduation requirements. A student's satisfactory performance in dual credit course can also count toward this requirement. The agency has the option of developing additional end-of-course assessments that would exempt from requirements related to course grades and graduation requirements. End-of-course assessments would be administered to students entering the 9th grade in 2009-10 (this year's 6th graders) and current TAKS tests would be retained for students above grade 9 in 2009-10. The agency may defer releasing the questions and answers to the extent necessary to develop additional assessments. In addition to other assessments, school districts shall administer a nationally norm-referenced preliminary college preparation assessment to all 8th grade students in the spring semester and PSAT/NMSQT in the 10th grade. Students have the option of taking nationally norm-referenced college entrance examination in the 11th or 12th grade at state cost. The commissioner is directed to FSP funds to school districts in the amount necessary to pay for these provisions.

HB 2932 Turner: Relating to the administration of end-of-course assessment instruments in public schools at certain grade levels.

Companions: SB 1403 (I)

Remarks: Creates end-of-course assessment for secondary-level for each course offered at or above the 9th grade that is a part of the foundation curriculum. This assessment accounts for 25 percent of student's final grade for course. Student must receive average score of 70 on all assessment instruments.

ADDITIONAL FUNDS FOR AT-RISK STUDENTS: Support increased funds to schools to support intervention for students identified at risk of failing at the various checkpoints of the Student Success Initiative (3rd grade reading, 5th grade reading and math, 8th grade reading and math, and 11th grade exit-level tests).

SB 127 Shapleigh Relating to funding of the Communities in Schools program.

Companion: HB 1609

Remarks: From the total funds appropriated to the compensatory education allotment, TEA shall withhold an amount not less than \$30 million per year for pre-k through high school for the Communities In Schools Program.

SB 1018 West, Royce: Relating to establishment of a pilot program to improve mathematics instruction in public schools.

Remarks: The commissioner shall establish a pilot program under which participating school districts and campuses receive assistance in developing the instructional expertise of teachers who instruct students in mathematics at the middle school, junior high school, or high school level.

SB 1019 West, Royce: Relating to establishment of a pilot program to provide early identification of public school students at risk of dropping out of school.

Remarks: Using funds appropriated for that purpose the commissioner shall establish a pilot program under which a participating school district, with assistance from the agency, creates an early warning data system to identify students likely to become at risk of dropping out of school. The commissioner shall select to participate in the pilot program school districts that have relatively high numbers of students dropping out of school. An early warning data system created under the pilot program must use student performance data and other indicators to identify at the earliest possible time students likely to become at risk of dropping out of school so that appropriate intervention services may be provided to the students by the district.

SB 1515 West, Royce: Relating to state grants for student clubs in high school that serve students at risk of dropping out of school.

Companions: HB 3418 (I)

Remarks: The commissioner shall administer a pilot program to provide grants to school districts to fund student club activities for students at risk of dropping out of school. An amount not to exceed \$5 million in any state fiscal biennium on the program will be spent. The commissioner may award a grant in an amount not to exceed \$5,000 in a school year to a district high school campus at which at least 60 percent of students are identified as students at risk of dropping out of school. A grant awarded under this program must be matched by other funds in an amount equal to the amount of the grant. A student club may use funds awarded to support academic or co-curricular club activities, other than athletics, in which at least 50 percent of the participating students have been identified as students at risk of dropping out of school.

SB 1697 Shapiro: Relating to improvement of reading skills of students enrolled in public middle and junior high schools and use of certain federal funds to provide accelerated instructions to certain public students.

Remarks: The commissioner shall develop and make available reading academies for teachers who provide instruction to students at the sixth through eighth grade levels.

SB 1923 West, Royce: Relating to a pilot program to lower teacher rates in high-need school districts.

Companions: HB 2657 (I)

Remarks: The commissioner shall establish a pilot project in school districts that include a substantial geographical area with a low-income population, have a substantial number of campuses considered academically unacceptable, or have high teacher turnover rates. The project would pay salary supplements to teachers who commit to teach in one of the districts for at least three years. The salary supplement is payable only at the end of the teacher's three-year commitment to the district. A grant a school district receives under this section is in addition to any funding the district receives under Chapter 42. If state funds are appropriated but are insufficient to fully fund a grant, the commissioner shall reduce the grant paid to each district and the district shall reduce the salary supplement the district pays to each teacher under this section proportionately so that each selected teacher receives the same amount of money. An open-enrollment charter school is not eligible for a grant under this section.

HB 57 Isett: Language pilot program at campuses

Remarks: Commissioner shall establish pilot program for participating campuses to provide intensive reading and language intervention programs. Funding: not more than \$6 million.

HB 950 Dutton Relating to the provision of and funding for Saturday classes for elementary school students who fail to pass certain assessment instruments.

Remarks: In addition to classes normally held by a school district, a district may hold classes on Saturdays during the regular school year for elementary school students who fail to perform satisfactorily on state assessments. A school district is entitled to ADA funding for these classes. For purposes of this subsection, average daily attendance is the quotient of the sum of attendance for each day a

program under that section is provided divided by the number of days the program is provided

- HB 1002 Giddings:** Relating to intensive preparation academies to prepare public school students to take a state exit-level assessment instrument.
- Remarks: Provides for program of intensive instruction for students who failed to pass state exit level examination. Begins with a pilot program in 2008-09. Set to expand the following year.
- HB 1270 Eissler:** Relating to an intensive reading and language intervention pilot program at certain public school campuses.
- Companions: HB 1338 (I) SB 494 (I)
- Remarks: The commissioner by rule shall establish a pilot program in which a participating campus provides intensive reading and language intervention to participating students.
- HB 1778 Giddings:** Relating to a grant program to promote good citizenship.
- Remarks: Creates a "Good Citizenship Account" composed of funds resulting from fines for certain class C misdemeanors involving open-handed physical conduct between two or more students aged 11 or younger. The fund would be used for grants related to anger management and mediation programs that deter violence and promote interpersonal skills.
- HB 1884 Villarreal:** Relating to a kindergarten-plus program for certain children.
- Remarks: The commissioner shall distribute to each school district an amount of money equal to the product of \$2,000 multiplied by the number of children in ADA, in the district's kindergarten-plus program. A child is eligible to participate in the program if, they are already enrolled, plan to enroll, have just completed kindergarten, or are economically disadvantaged. The Program must consist of six weeks of additional instruction before and after the academic year.
- HB 2407 Dutton:** Relating to school district programs to reduce truancy and dropout rates.
- Remarks: The commissioner shall by rule establish procedures for awarding grants to school districts to be used in operating locally developed programs designed to reduce truancy and dropout rates at campuses considered academically unacceptable. Would be funded through a set-aside.
- HB 2504 Eissler:** Relating to an intensive mathematics and algebra intervention program in public schools.
- Remarks: Creates an intensive mathematics intervention program for students in participating campuses that are performing below grade level. Serves grades four through eight.
- HB 3633 Deshotel:** Relating to the creation and administration of a community-based at-risk youth program.
- Remarks: The state director, designated by the commissioner, for the Education and Self-Sufficiency Program shall coordinate community-based efforts to assist students at risk of dropping out of school, to develop a foundation for a well-balanced and appropriate education from early childhood education through middle and junior high school through the use of a variety of instructional and interactive methods and programs.

COLLEGE FOCUS: Support increasing the high school allotment to be used to support increasing the number of students who continue their education beyond high school.

SB 282 Gallegos Relating to eligibility for an award through the Early High School Graduation Scholarship Program.

Remarks: A person otherwise eligible for an award and who is a migratory child is eligible for an award through the Early High School Graduation Scholarship program if: (1) the person graduates from a public high school in this state; and (2) the primary reason for the person's attendance at each high school the person attended other than a public high school in this state is the migratory agricultural or fishing work of the person, the person's parent, or the person's spouse.

SB 372 Shapleigh Relating to notice regarding the availability of programs under which a student may earn college credit in public schools.

Remarks: Each school year, a school district shall provide written notification to the parent of each district student enrolled in grade nine or above of the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs.

SB 1050 Zaffirini: Relating to the administration of work-study student mentorship program by the Texas Higher Education Coordinating Board.

Remarks: The coordinating board shall administer a work-study student mentorship program under which students who are enrolled in their junior or senior years at participating eligible institutions and who meet the eligibility requirements for employment in the Texas college work-study program may be employed by participating entities under the Texas college work-study program to mentor students on academic probation at participating eligible institutions or high school students in participating school districts; or counsel high school students at GO Centers or similar high school-based recruiting centers designed to improve student access to higher education.

SB1065 Shapiro: Relating to high school success and college readiness in public schools.

Companions: HB 2237 (I) Eissler

Remarks: Using funds from private sources and state and federal funds available for that purpose in an amount not more than the amount provided by private sources, the commissioner may provide: (1) grants to school districts to support the establishment and implementation of sustainable and comprehensive high school completion and success initiatives; and (2) support, directly or through contract with a private entity, for the restructuring and reform of high school campuses considered academically unacceptable that are participating in an innovative redesign of the campus to improve campus.

HB 122 Dukes: Promoting higher education

Remarks: To educate middle school, junior high school, and high school students about the importance of higher education, each school district and each open-enrollment charter school offering any of those grade levels shall designate one week during the school year as "Education: Go Get It" Week. The information provided must include information regarding: higher education options available to students; standard admission requirements for institutions of higher education; automatic admission of certain students to general academic teaching institutions; and financial aid availability and requirements. Each middle school, junior high

school, and high school shall provide to the students during the designated week at least one public speaker to promote the importance of higher education.

HB 501 Castro: Relating to a survey to monitor the postsecondary education plans of seniors at public high schools.

Remarks: The agency shall develop a postsecondary education survey that a public high school may use to monitor the postsecondary education plans of seniors at the high school.

HB 2217 Eissler: Relating to grants for higher education and workforce readiness programs in public schools.

Remarks: From funds appropriated for Higher Education and Workforce Readiness programs, the commissioner may award grants to organizations that provide volunteers to teach classroom or after school programs to enhance, college readiness, workforce readiness, dropout prevention, or personal financial literacy.

HB 2658 Giddings: Relating to the development of college preparatory mathematics and science courses for use in public high schools.

Remarks: The commissioner of education and the commissioner of higher education shall develop and recommend to the State Board of Education for adoption under the essential knowledge and skills of a course in college preparatory mathematics and a course in college preparatory science for use in public high schools.

HB 2814 Eissler: Relating to a language immersion pilot project in certain school districts.

Remarks: The commissioner shall establish a pilot project in school districts selected by the commissioner under which the agency examines language immersion programs and the effect of those programs on a student's ability to advance to high school, graduate from high school, or prepare for college coursework or post graduation employment.

HB 3047 Martinez Fischer: Relating to information provided to parents of public school students regarding financial aid for postsecondary education.

Remarks: The agency shall produce and provide to school districts a comprehensive, easily understood document that explains the availability of financial aid, including loans, grants, and scholarships, for students who attend postsecondary educational institutions.

HB 3051 Martinez Fischer: Relating to subsidies relating to Spanish language college advanced placement tests.

Remarks: On approval by the board, the agency shall pay each eligible applicant an amount equal to the full amount of the fee paid by the student to take a college advanced placement test of the student's proficiency in the Spanish language.

HB 3087 Phillips: Relating to the development of applied mathematics and science courses for use in public high schools.

Remarks: Establishes by the Commissioner of Education and Higher Education, vertical teams that shall develop and recommend to the SBOE for adoption, the essential knowledge and skills of courses in applied mathematics and applied science for use in public high schools. The courses developed must be designed to prepare students for success in college courses and in advanced technical occupations. Credit earned in these courses can be applied toward satisfying the applicable

mathematics or science curriculum requirement for the standard high school program. An end-of-course assessment instrument for each course shall be developed.

HB 3260 Branch: Relating to the establishment of a center for the study of advanced instructional methods.

Remarks: The board, in collaboration with public school educators and faculty and staff of institutions of higher education, shall establish and operate a center for the study and development of advanced instructional methods and standards intended to provide for the educational needs of students in public schools and institutions of higher education and the workplace needs of employers in the 21st century.

COMMUNITY

CAP ON NUMBER OF GOVERNMENT ASSISTED UNITS BY DENSITY: Support a geographic density cap on the number of government assisted units.

HB 235 Talton: Relating to the ad valorem taxation of certain property used to provide low-income or moderate-income housing.

Companions: SB 117 Lucio

Remarks: SAME AS SB 117. An organization may not receive an exemption for the construction or rehabilitation of property for low income housing for a tax year beginning on or after January 1, 2008, unless the organization received an exemption under this section for that property for any part of the 2007 tax year. Also modifies the method of appraising property qualifying for the exemption.

OVER 65 FREEZE: Support modification of law and/or Texas Constitution to allow homeowners over age 65 to enjoy the benefits of the reduction in property tax rates approved in the 3rd Called Session of the 79th Legislature.

SB 582 Patrick, Dan: Ad valorem taxes on homesteads

Companions: HB 5 (I)

Remarks: 65 and older property tax reduction language: multiplying the amount of tax the district imposed on the homestead in the preceding tax year by a fraction the numerator of which is the tax rate of the district for the current tax year and the denominator of which is the tax rate of the district for the preceding tax year; and adding to the amount computed (1) any tax imposed in the current tax year attributable to improvements made in the preceding tax year.

HB 74 Naishtat: Relating to the limitation on the total ad valorem taxes that may be imposed by a school district.

Remarks: 65 and older and disabled tax freeze reduction.

HB 74 is the enabling legislation for **HJR 18:** Proposing a constitutional amendment authorizing the legislature to provide for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for public school purposes on the residence homesteads of the elderly or disabled to reflect any reduction in the rate of those taxes.

HB 1494 Bonnen: Ad valorem taxes for elderly or disabled

Remarks: Allows individual to qualify for 65 and older exemption if individual owned property at any point during year.

Note: There are two House Joint Resolutions that would be necessary to implement this legislation.

GOVERNANCE

LOCAL CONTROL: Support preserving local control of public school districts by duly elected school boards.

SB 175 Wentworth: Relating to the calculation of certain deadlines under the public information law.

Companion: HB 2464

Remarks: Changes time lines related to open records requests. A requestor who fails to make a deposit toward payment for the request before the 10th business (from 10th day) day after the deposit is required is considered to have withdrawn the request. The governmental body must release the request not later than 10 business days (from 10 days).

SB 438 Hegar: Relating to prohibiting immunization against human papilloma virus as a condition for admission to public schools.

Remarks: Immunization against the human papilloma virus may not be required for a person's admission to any elementary or secondary school. This preempts all contrary executive orders of the governor.

SB 443 Hinojosa: Relating to the authority of a school district board of trustees to create a criminal offense for violation of a district policy.

Remarks: Should those providing for the operation and parking of vehicles on school property break compliance with the rules established by the board of trustees for the safety and welfare of students, employees, and property will be charged with a Class C misdemeanor.

SB 827 West, Royce: Relating to the public schools eligible to receive certain grants from the Department of Agriculture.

Remarks: Adds middle schools to those campuses eligible to receive grants related to agricultural projects or other projects designed to foster understanding of agricultural awareness.

SB 831 Ellis, Rodney: Relating to energy savings performance contracts.

Companions: HB 2567 (I)

Remarks: From HRO: Authorizes an energy savings performance contract (performance contract) to be financed under a lease/purchase contract not to exceed 20, rather than 15, years from the final date of installation and that meets federal tax requirements for tax-free municipal leasing or long-term financing. Authorizes a performance contract to be financed under a contract with the provider of the energy or water conservation measures that has a term not to exceed the lesser of 20 years or the average useful life of the energy or water conservation or usage measures, rather than 15 years from the final date of installation.

Requires the board of trustees of a school district, before entering into a performance contract, to require that the cost savings projected by an offeror be reviewed by a licensed professional engineer who has a minimum of three years of experience in energy calculation and review, is not an officer or employee of

an offeror for the contract under review, and is not otherwise associated with the contract or the offeror. Requires the engineer's review to focus only on the methodology and calculations related to cost savings, increases in revenue, and, if applicable, efficiency or accuracy of metering equipment.

SB1072 Janek: Relating to the delivery of a child taken into custody under the juvenile justice system to a school official.

Companions: HB 776 (I)

Remarks: A person taking a child into custody, can bring the child to the school campus to which the child is assigned if the principal, the principal's designee, or a peace officer assigned to the campus agrees to assume responsibility for the child for the remainder of the school day.

SB 1161 Jackson, Mike: Relating to the filing of a complaint or referral to juvenile court by a school district against a student for failing to attend school.

Remarks: Extend reporting time for districts with respect to student missing 10 or more days of school within a six month period from 7 days to 14 days.

SB 1278 Van de Putte: Relating to funding for career and technology programs in public schools.

Companions: HB 1924 (I) Kolkhorst

Remarks: Extends CATE funding to grades 8 through 12. Creates a pilot program for students in grade 7 in either region 6 or region 20 with a weight of 1.35.

SB 1420 Wentworth: Relating to the development by the Education Agency of an Internet Safety and use curriculum for use by school districts.

Companions: HB 3171 (I)

Remarks: The agency shall develop and make available to school districts an Internet safety and use curriculum that a district may use to educate students about; the potential dangers of allowing personal information to appear on an Internet website, the significance of copyright laws, and the consequences of cyber-plagiarism and theft of audiovisual works through uploading and downloading files on the Internet, including motion pictures, software, and sound recordings.

SB 1517 Janek: Relating to an exemption for students enrolled in certain advanced courses from the requirement that a student be suspended from participation in extracurricular activities for receiving an unsatisfactory grade.

Remarks: Exempts students identified as honors, advanced placement, international baccalaureate, or dual credit course in the subject area of English language arts, mathematics, science, social studies, economics, or a language other than English from the requirement that a student be suspended from participation in extracurricular activities for receiving an unsatisfactory grade.

SB 1825 Janek: Relating to the determination of the total taxable value of property in a school district under the property value study performed by the comptroller of public accounts.

Remarks: Total taxable value definition includes the total dollar amount of any reductions in appraised value ordered by an appraisal review board in connection with a protest or by a court in connection with an appeal of the protest, in the year that is the subject of the study.

- SB 1935 Janek:** Relating to certain restrictions and obligations in connection with establishing and using the appraised value of real property for taxation purposes.
- Remarks: Not later than the 10th business day after the date of closing on the conveyance of real property, the transferee or a person acting on behalf of a transferee shall file a real property conveyance report disclosing information regarding the conveyance of the property.
- SB 1944 Patrick, Dan:** Relating to the use by a political subdivision of public money for fees and dues of a state association or organization.
- Companions: HB 1753 (I)
- Remarks: Prohibit organizations that accept general fund fees from political subdivisions from attempting to influence the outcome of legislation or being involved in campaigns (applies Texas Association of Counties language to other local government organizations). Allows taxpayers, county and district attorneys, the attorney general, or the public integrity unit to bring suit.
- HB 62 Leibowitz:** Relating to the proximity of the residences of certain sex offenders or sexually violent predators to schools.
- Remarks: Prohibits certain sexual predators from living within 1,000 feet of a school.
- HB 130 Truitt:** First day of school
- Remarks: Allows districts to apply for a waiver on school start dates if the district meets certain requirements. If the commissioner grants a school district a waiver, for each day that the district instructs students before the date prescribed, the commissioner shall assess a fee against the district in an amount determined by the commissioner in accordance with a rule adopted by the commissioner for that purpose. The amount of the fee must be based on the number of days the school district begins instruction before the state start date and the number of students in average daily attendance in the district and must reasonably reflect the cost to the state resulting from the district's early school start date. Any fee assessed under this subsection shall be deposited in the general revenue fund. The commissioner shall adopt rules necessary to administer this subsection.
- HB 203 Menendez:** Relating to prohibiting certain sex offenders from residing within a child safety zone.
- Remarks: Incorporates Public Parks to the definition of child safety zones and specifies that sex offenders may not go in, on, or live within 2,000 feet of those zones.
- HB 219 Miller:** Relating to the margin of error the comptroller of public accounts must use to determine whether the local value for a school district is valid after conducting the annual property value study.
- Remarks: Changes the margin of error from 5 percent to 10 percent in the Comptroller's determination of the validity of the district's local taxable property value.
- HB 275 Kolkhorst:** Relating to the margin of error to be used by the comptroller of public accounts in connection with the annual property value study to determine whether the local value for a school district is valid.
- Remarks: In determining if a local property value for a school district is valid the comptroller shall use a margin of error that has a range, the lower limit of which

is 85 percent of the state value and the upper of which is 105 percent of state value.

HB 278 Madden: Relating to the authority of a school district board of trustees to create criminal offenses for violations of district policies.

Remarks: Repeals 37.102(c) of Education code, which states: that offense committed by person who violates any rule adopted by school board regarding safety and welfare of students is a Class C misdemeanor.

HB 566 Hamilton: Relating to compulsory attendance for students who are at least 18 years of age.

Remarks: Strikes provision allowing school districts to revoke the enrollment of students who voluntarily enrolled in school after their 18th birthday and have more than five unexcused absences in a semester. Certain provisions related to parental responsibility for student attendance would no longer apply to these students.

HB 600 Smith, Wayne: Relating to the use of certain voting equipment in an election that does not involve a federal office.

Remarks: For an election of a political subdivision, other than an election of a political subdivision that is held jointly with another election in which a federal office appears on the ballot, this section does not require the use of a voting station that meets the requirements for accessibility under 42 U.S.C. Section 15481(a)(3) at a polling place if in the previous general election held by the subdivision less than 100 votes were cast in: the precinct the polling place serves; or all precincts the polling place serves if the polling place serves more than one precinct.

HB 607 Madden: Relating to the penalty for a parent who fails to require a child to attend school.

Companions: SB 217 (I)

Remarks: If the parent has previously been convicted under this section at least twice, the attendance officer or other appropriate school official shall file a complaint against the parent in the constitutional or statutory county court of the county in which the parent resides or in which the school is located.

HB 789 Dutton: Relating to the employment of school district peace officers and the enforcement of certain violations under a student code of conduct.

Remarks: Allows the school board of an independent school district (from any school district) to employ security personnel and commission peace officers. Allows the chief of police of the school district to report to an assistant, associate, or deputy superintendent designated by the superintendent (rather than superintendent's designee). Repeals language related to filing a bond of \$1,000 for peace officers. Stipulates that provisions related to school district peace officers providing assistance to other law enforcement agencies only applies to conduct that violates the law or another specific rule adopted by the board of trustees.

HB 878 Howard, Charlie: Relating to the filing of personal financial disclosure statements by municipal officers and candidates, members of the boards of trustees of school districts, and directors of sports and community venue districts.

Remarks: Exempts municipal officers and candidates, school board members, and directors of sports and community venue districts who do not receive compensation for serving as an officer or a candidate for such an office from filing financial disclosure statements.

HB 879 Howard, Charlie: Relating to certification and continuing education requirements for certain public education administrators.

Remarks: The board may issue a temporary certificate for the positions of assistant principal; principal; or superintendent. A candidate for certification must hold a baccalaureate or advanced degree from an institution of higher education; have significant management and leadership experience, as determined by the board of trustees of the school district that will employ the person under the temporary certificate.

HB 893 McReynolds: Relating to the use of public school educators' days of service for which instruction is not required.

Remarks: Requires approval by campus-level decision-making committee of the use of educators' days of service for which instruction is not required (only applies to campuses rated exemplary or recognized).

HB 966 Guillen: Relating to funding for career and technology programs in public schools.

Remarks: Extends CATE funding to grade 7.

HB1026 Bohac: Relating to the punishment of certain assaults committed against employees of primary and secondary schools.

Companions: SB 109 (I)

Remarks: Increases the punishment of assaults committed against employees of public or private schools performing duties within the scope of employment, if the perpetrator is presumed to have known that the person assaulted was a school employee, regardless of whether the offense occurred off school premises or at a time at which school was not in session.

HB 1074 Kolkhorst: Relating to the creation of an offense for a parent's contribution to a child's failure to comply with a sentence or court order relating to a disruptive activity or disruption of class on school property.

Remarks: The bill would create a Class C Misdemeanor offense for a parent contributing to a child's failure to comply with a sentence or court order related to disruptive behavior in a class or on school property. A parent committing this offense could be fined and/or ordered to provide services to a charitable or educational institution.

HB 1098 Bonnen: Relating to prohibiting immunization against human papilloma virus as a condition for admission to public school.

Remarks: Immunization against the human papilloma virus may not be required for a person's admission to any elementary or secondary school. This subsection preempts all contrary executive orders of the governor.

HB 1115 Howard, C: Relating to prohibiting immunization against human papilloma virus as a condition for admission to public school.

Remarks: Immunization against the human papilloma virus may not be required for a person's admission to any elementary or secondary school. This preempts all contrary executive orders of the governor.

HB 1137 Hochberg: Relating to age and attendance requirements in public schools.

- Remarks:** Allows boards to admit students who are older than 21. Allows students to be given credits for a class if they are in attendance for at least 75 percent but less than 90 percent of day's class is offered if the student completes a plan approved by the school principal that provides for the student to meet the requirements of the course.
- HB 1215 Hughes:** Relating to human papilloma virus vaccine requirements.
- Remarks:** The executive commissioner of the Health and Human Services Commission may not require immunization for human papilloma virus for admission to any elementary or secondary school.
- HB 1257 Eissler:** Relating to physical activity requirements and physical fitness assessment for certain public school students.
- Remarks:** If a school district determines, for any particular grade level, that requiring moderate or vigorous daily physical scheduling concerns or other factors, the district may as an alternative require a student in that grade level to participate in moderate or vigorous physical activity for at least 135 minutes during each school week. A school district shall assess the physical fitness of students enrolled in assessment must be conducted twice during each school year, with one assessment conducted during the fall semester and one assessment conducted during the spring semester.
- HB 1469 Geren:** Relating to local regulation of distance requirements for businesses selling alcoholic beverages near a public school.
- Remarks:** Allows all school boards to petition the county commissioners' court to adopt a 1,000-foot zone distance-requirement for businesses selling alcoholic beverages (from districts located in a municipality with a population of 900,000 or more to all districts).
- HB 1497 Van Arsdale:** Relating to the consequences of the failure by a person requesting information under the public information law to timely respond to certain written communications from a governmental body.
- Remarks:** If before the 31st day after the date a governmental body sends a written request for clarification or discussion under or an officer for public information or agent sends a written request for additional information and the governmental body does not receive a response from the requestor, the underlying request for public information is considered to have been withdrawn by the requestor. A written request for clarification or discussion must include a statement as to the consequences of the failure by the requestor to timely respond.
- HB 1616 Dutton:** Related to the dates for which public school student enrollment information must be submitted under the Public Education Information Management System.
- Remarks:** The commissioner's rules must provide for school districts and open-enrollment charter schools to submit information showing student enrollment as of the last Friday in October and the last Friday in March.
- HB 1825 Raymond:** Relating to assessment of public school students receiving special education services.
- Remarks:** Exempts students enrolled in special education from grade-level retention and promotion requirements associated with the state testing program. Repeals requirements to develop assessments for special education students. Repeals limitations on special education-related exemptions.

- HB 1843 Allen, Alma:** Relating to the authority of a school district to implement a monitoring system that records images of vehicles that pass a stopped school bus.
- Remarks: A school bus may be equipped with a monitoring system that is capable of taking electronic or video images of vehicles that pass the bus, and may be operated only when the bus is stopped on a highway to load or unload students.
- HB 2125 Swinford:** Relating to professional staff salaries by certain school districts.
- Companions: SB 652 (I)
- Remarks: This bill appears to be intended to prevent required step increases for districts that pay above statutory minimum.
- HB 2360 Veasey:** Relating to transportation of public school students placed in a juvenile justice alternative education program.
- Remarks: A school district may contract with a juvenile board to provide transportation services for students placed in a juvenile justice alternative education program, including students who are expelled.
- HB 2503 Eissler:** Relating to a technology literacy assessment instrument to be administered to certain public school students.
- Remarks: The Commissioner shall establish a technology literacy assessment pilot program. Districts may apply to participate in state adopted assessment instrument for grades 5 through 9.
- HB 2513 Villarreal:** Relating to the annual school district property value study conducted by the comptroller of public accounts.
- Remarks: Modifies the property value study to disaggregate by categories of property. When substituting state for local values, categories can be substituted rather than entire value.
- HB 2520 Davis, Yvonne:** Relating to a domestic violence education pilot project in certain school districts.
- Remarks: Commissioner shall establish a pilot project to provide age appropriate curriculum on domestic violence in grades 9 and 10. Participating districts shall be from Bexar, Dallas, and Harris counties. The pilot project may not be implemented in Garland ISD.
- HB 2563 Hancock:** Relating to the powers and duties of the boards of trustees and superintendents of independent school districts and of regional education service centers.
- Companions: SB 1277 (I)
- Remarks: An independent school district is governed by a board of trustees who, as a body corporate, shall: (1) oversee the management of the district; and (2) ensure that the superintendent implements and monitors plans, procedures, programs, and systems to achieve appropriate, clearly defined, and desired results in the major areas of district operations.
- HB 2594 Miles:** Relating to the authority of law-enforcement officers to escort a child to a school campus to ensure the child's compliance with compulsory school attendance requirements.

- Remarks: A law-enforcement officer who has probable cause to believe that a child is engaging in conduct indicating a need for supervision for truancy and who, as a result of that belief, issues a warning notice to the child may escort the child to the school campus of the child to ensure the child's compliance with compulsory school attendance requirements.
- HB 2661 King, Tracy:** Relating to the inclusion of certain expenditures for purposes of the rule that a specified percentage of school district revenue be spent for instructional activities.
- Remarks: Expenditures for utilities and student transportation are included for the purpose of calculating the percentage of a district's total available revenue allocated to direct instructional activities.
- HB 2887 King, Tracy:** Relating to information provided by a superintendent or principal regarding the performance of a school district or campus employee to a prospective employer of the employee.
- Remarks: The principal of a school or superintendent of a school district may discuss information contained in a document evaluating the performance of an educator currently or formerly employed by the school or district with a prospective employer of the educator. A principal or superintendent is not personally liable for a statement made in good faith by the principal or superintendent regarding the performance of a current or former employee to a prospective employer.
- HB 3492 Otto:** Relating to determining taxable value in the Comptroller's property value study.
- Remarks: Requires comptroller's study to adjust for protests.
- HB 3512 Davis, John:** Relating to local school district policies regarding student eligibility to participate in extracurricular activities.
- Remarks: Allows local districts to adopt policies that allow students with grades below passing to participate in extra-curricular activities in certain circumstances.
- HB 3617 Zedler:** Relating to bilingual and special language programs in public schools.
- Remarks: Makes bilingual education optional.
- HB 3806 Vaught:** Relating to the distribution of funds at the local level under the awards for student achievement program and the educator excellence awards program.
- Remarks: May use portion (formerly 75 percent) with respect to payments to teachers under incentive program.
- HB 3890 Pitts:** Relating to certification of and salaries for certain professional public school employees and public school finance.
- Remarks: Adds educational diagnostician to those eligible for salary increase.

ELECTION DATES: Support local control to permit school districts to hold trustee and bond elections in either May or November.

- SB 394 Patrick, Dan:** Relating to joint municipal and school district elections.
- Remarks: Requires joint elections for school boards and municipalities that contain at least 75 percent of the territory of the school district.
- SB 670 Ellis, Rodney:** School district trustees' terms

Companions: HB 477 (I)

Remarks: A school board may adopt a resolution changing the length of the terms of its trustees. The resolution must provide for a term of either three or four years and specify the manner in which the transition from the length of the former term to the modified term is made. The transition must begin with the first regular election for trustees that occurs after January 1, 2008, and a trustee who serves on that date shall serve the remainder of that term. This subsection expires January 1, 2013.

HB 2930 Van Arsdale: Relating to exemptions from certain statutory requirements for certain school districts.

Remarks: An independent school district that holds its election for trustees on the same date as the general election for state and county officers is exempt from complying with a requirement relating to: (1) elementary school class size (2) the first day of instruction; (3) the assessment process and professional growth activities for principals; (4) annual field testing of questions for assessment instruments; and requirements related to the size of a library or computer lab. However, a school district to which this section applies must comply with the elementary school class size requirements of as determined on a campus-based or district based average of students per class and a school district to which this section applies must comply once every three years with the requirements relating to field testing of questions for assessment instruments.

HB 3150 Van Arsdale: Relating to requirements for joint elections for trustees of an independent school district.

Remarks: If more than 50 percent of the population of an independent school district resides in the corporate boundaries of a municipality, an election for trustees of the district shall be held on the same date as the election for the members of the governing body of the municipality or the general election for state and county officers. An election for trustees of an independent school district that is less than 50 percent of the population of an independent school district and resides in the corporate boundaries of a municipality shall be held on the same date as the general election for state and county officers.

LEGISLATIVE POSITIONS

FINANCE

MANDATES: Support the appropriation of adequate funds to fully fund the cost of any new program mandated by the legislature.

SB 7 Hinojosa: Relating to instruction in cardiopulmonary resuscitation and the availability and use of automated external defibrillators at public school campuses and certain athletic events.

Remarks: The department is required to inspect only as necessary a licensed child-care facility that offers only an after-school program operated directly by an accredited educational facility; or an after-school program operated by an entity under contract with an educational facility accredited by the Texas Education Agency or the Southern Association of Colleges and Schools, if that agency or association has approved the curriculum content of the after-school program. The department may not charge the initial license fee or the annual license fee for a licensed child-care facility that exclusively offers an after-school program operated by another entity under contract with the educational facility, if the

Texas Education Agency, the Texas Private School Accreditation Commission, or the Southern Association of Colleges and Schools has approved the curriculum content of the after-school program operated under the contract.

SB 8 Janek:

Relating to random testing of certain public school students for steroid use and training of certain public school employees regarding steroid use.

Remarks:

A school district shall require that each district employee who serves as an athletic coach at or above the seventh grade level for an extracurricular athletic activity sponsored or sanctioned by the league complete: the educational program developed by the league or a comparable program developed by the district or a private entity with relevant expertise. The league shall adopt rules for the administration of a steroid testing program under which students participating in an athletic competition sponsored or sanctioned by the league are tested for the presence of steroids in the students' bodies. The testing program must: be administered at approximately 30 percent of the public high schools in this state, as selected by the league; require the random testing at each selected high school of approximately three percent of the students at that school participating in an athletic competition sponsored or sanctioned by the league; protect confidentiality of test results by permitting disclosure of test results only to the student, the student's parent, the league, and the activity directors, principal, and assistant principals of the school attended by the student, unless otherwise required by court order; provide for a process for confirming any initial positive test result through a subsequent test conducted as soon as practicable after the initial test, using a sample that was obtained at the same time as the sample used for the initial test; and require the testing to be performed only by an anabolic steroid testing laboratory with a current certification from the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services, the World Anti-Doping Agency, or other appropriate national or international certifying organization. The board by rule shall specify a range of penalties that may be imposed as a result of a confirmed positive test. The range of penalties must include the following: a written public reprimand, subject to confidentiality requirements imposed by this section or other law; a probationary period, not to exceed three years, during which a student may be required to comply with reasonable conditions in order to participate in an athletic competition sponsored or sanctioned by the league and avoid a more severe penalty; and a suspension period, not to exceed three years, during which a student may be prohibited from participating in or practicing with other students for an athletic competition sponsored or sanctioned by the league. From funds appropriated for that purpose, the league shall pay the costs of the steroid testing program.

SB 9 Shapiro:

Relating to the dissemination of criminal history record information for certain purposes, including the certification and employment of educators and other public school employees who engage in certain misconduct.

Remarks:

On receipt of a report of an alleged incident of misconduct the State Board for Educator Certification shall place a notice regarding the alleged incident on the educator's public certification records. If it is determined that the educator has not engaged in the alleged incident of misconduct, the board shall immediately remove the notice from the educator's public certification records. An employee of a school district, charter school, shared service arrangement (who performs most duties on school property where student are present) must submit to a national criminal history record information review and investigation before being employed. Before or immediately after employing or securing the services of a person, a school district, open-enrollment charter school, or shared services arrangement shall send to the agency the person's fingerprints and any other information requested by the agency that is required for obtaining national

criminal history record information. The agency shall review and investigate the person's national criminal history record information and report the results of the review and investigation to the school district, open-enrollment charter school, or shared services arrangement requesting the review.

SB 25 Nelson: Relating to the availability of an automated external defibrillator at high school athletic events.

Remarks: Each school district shall make readily available an automated external defibrillator Health to each high school athletic department in the district and at each high school athletic practice or competition in the district. To acquire an automated external defibrillator, to the extent practicable a school district shall obtain federal funding or a donation from a private organization, including a nonprofit organization.

SB 34 Nelson: Relating to a nutrition policy for public schools.

Remarks: An elementary school campus may not serve or provide access to a competitive food at any time during the school day. A middle school or junior high school campus may serve or provide access to a competitive food only at times other than during the meal service period. A high school campus may serve or provide access to a competitive food during a meal service period only in areas other than areas where school meals are served or provided.

A middle school, junior high school, or high school campus may not serve or provide access to a competitive food unless the food meets the nutrition standards.

An elementary school campus may not serve or provide access to foods of minimal nutritional value.

Commissioner to adopt rules for middle and high school campuses regarding FMNV.

In addition to the nutrient content standards required by federal law, a school district or campus may not provide or make available to students: (1) whole milk, except that a school district or campus may provide whole milk for use by children not older than two years of age; (2) food products containing excessive amounts of fat per serving, as determined by the commissioner; (3) food products in portion sizes larger than those approved by the commissioner; and (4) other food products prohibited by rules adopted by the commissioner.

SB 50 Zaffirini: Relating to early childhood education.

Remarks: School districts may not be exempt from early childhood development program requirement if entities within district are willing to contract with district for services, and meets standards set forth by district.

Part of SB 50 was added to SB 1871

SB 52 Zaffirini: Relating to the compulsory school attendance age.

Remarks: Compulsory attendance age lowered to a child who is at least 5 years of age and has previously been enrolled in pre-K or Kindergarten. District may grant waiver if child is 6 years of age and has not previously attended pre-K or Kindergarten or if the guardian submits a waiver.

SB 69 Lucio: Relating to the employment of certified counselors by school districts.

- Remarks: A school district with 350 or more students in enrollment shall employ a counselor certified by SBEC. A district with under 350 students shall provide counseling by employing a part-time counselor or enter into shared service agreement.
- SB 73 Lucio:** Relating to a statewide initiative regarding the prevention and treatment of obesity-related health concerns.
- Remarks: Requires the Department of State Health Services to select a community in which to study its capacity to improve nutrition and physical activity behaviors. Requires the Commissioner to establish a school nutrition policy. Prohibits the Commissioner from changing the policy in a way that would allow more foods of minimal nutritional value (FMNVs) to be served. Prohibits beverages that are of FMNVs to be sold on campuses in containers larger than 12 ounces. No more than 30 percent of beverages in vending machines can be FMNVs. Allows for mentoring and peer support for weight loss programs in schools. Creates a program to recognize extraordinary achievement in children's health programs.
- SB 82 Van de Putte:** Relating to safety regulations for certain public school extracurricular activities and the availability of automated external defibrillators at certain public school campuses and events.
- Remarks: Commissioner by rule shall develop and adopt an extracurricular safety training program that must be completed by coach, trainer, sponsor, physician employed by school district, and band director.
- SB 84 Hinojosa:** Relating to increasing the maximum amount of the local option residence homestead exemption from ad valorem taxation by a taxing unit from 20 percent to 30 percent.
- Companions: HB 234 (I)
- Remarks: Increases 20 percent local optional homestead exemption to 30 percent.
- SB 86 Hinojosa:** Relating to public school policies designed to prevent dating violence.
- Remarks: Each school district shall adopt and implement a dating violence policy to be included in the district improvement plan.
- SB 87 Hinojosa:** Relating to instruction in cardiopulmonary resuscitation and the availability and use of automated external defibrillators at public school campuses and certain athletic events.
- Remarks: A school district shall annually make available to district employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator.
- SB 110 Van de Putte:** Relating to immunization against human papilloma virus.
- Remarks: Each female student enrolling in grade six shall be fully immunized against the human papilloma virus. Requires school districts to disseminate information related to the virus.
- SB 113 Van de Putte:** Relating to the eligibility of certain foster care children to attend prekindergarten classes.
- Companions: HB 575 (I)

- Remarks:** A child who is eligible for enrollment in a prekindergarten class because of the child's placement in foster care or other residential care under the conservatorship of the Department of Family and Protective Services remains eligible for enrollment.
- SB 119 Shapiro:** Relating to the certification and employment of educators and other public school employees who engage in certain misconduct.
- Remarks:** On receipt of a report of an alleged incident of misconduct, the State Board for Educator Certification shall place a notice regarding the alleged incident on the educator's public certification records. If it is determined that the educator has not engaged in the alleged of misconduct, the board shall immediately remove the notice from the educator's public certification records.
- SB 120 Zaffirini:** Relating to the prevention and prosecution of and education concerning the offense of online solicitation of a minor.
- Remarks:** Requires discipline management plans to provide for prevention of the offense of online solicitation of a minor by educating students concerning ways to avoid becoming victims or perpetrators of that offense.
- SB 136 Nelson:** Relating to the development by the Education Agency of an Internet safety curriculum for use by school districts.
- Remarks:** A program shall be developed and made available to public schools that provides instruction concerning Internet safety, including instruction relating to the potential dangers of allowing personal information to appear on an Internet website, the manner in which to report an inappropriate online solicitation, and the prevention, detection, and reporting of bullying or threats occurring over the Internet. In developing the program, the center shall solicit input from interested stakeholders and to the extent practicable, draw from existing resources and programs.
- SB 147 Lucio:** Relating to a school district policy concerning the use of school counselor's work time.
- Remarks:** Requires boards to set policies that require counselors to spend not more than 10 percent of total work time on specific duties such as administering assessments or providing other assistance in connection with assessments. The Agency shall request that districts assess compliance with the policy before any on site investigations are conducted by the Agency.
- SB 158 Seliger:** Relating to the certification of educational diagnosticians.
- Companions:** HB 721 (I)
- Remarks:** Adds educational diagnosticians to the list of school personnel that must hold appropriate certifications.
- SB 218 Carona:** Relating to license requirements for preschool and after-school programs operated by public or private schools.
- Companions:** HB 406 (I)
- Remarks:** The department is required to inspect only as necessary a licensed child-care facility that offers only an after-school program operated directly by an accredited educational facility; or an after-school program operated by an entity under contract with an educational facility accredited by the Texas Education Agency or the Southern Association of Colleges and Schools, if that agency or

association has approved the curriculum content of the after-school program. The department may not charge the initial license fee or the annual license fee for a licensed child-care facility that exclusively offers an after-school program operated by another entity under contract with the educational facility, if the Texas Education Agency, the Texas Private School Accreditation Commission, or the Southern Association of Colleges and Schools has approved the curriculum content of the after-school program operated under the contract.

SB 230 Harris: Relating to the notification required when public school students who engage in certain criminal conduct transfer to a new school.

Remarks: A parole or probation office having jurisdiction over a student who transfers from a school or is subsequently removed from a school and later returned to a school or school district other than the one the student was enrolled in when the arrest, referral to a juvenile court, conviction, or adjudication occurred shall notify the superintendent or a person designated by the superintendent of the school district to which the student transfers or is returned or, in the case of a private school, the principal or a school employee designated by the principal of the school to which the student transfers or is returned.

SB 234 Harris: Relating to the reporting of income-producing contracts entered into by school districts.

Remarks: A school district shall: (1) publish a report of income-producing contracts in a newspaper of general circulation in: (A) a county in which the district is located; or (B) the county seat of a county adjacent to a county in which the district is located, if a newspaper of circulation is not published in a county in which the district is located; or (2) post a report of income-producing contracts on the district's Internet website. For each income-producing contract a school district enters into or under which the district receives income during the reporting period covered by the publication or posting, the district's report must include: (1) the full name and address of each party to the contract other than the district; (2) a description of the type of contract involved; (3) the date the contract was entered into; (4) the duration of the contract; (5) a statement of the contract; and (6) a statement of the amount of income the district received under the contract during the reporting period.

SB 282 Gallegos: Relating to notice regarding the availability of programs under which a student may earn college credit in public schools.

Remarks: Requires parental notification of district programs under which students can earn college credit.

SB 335 Van de Putte: Relating to the eligibility to attend prekindergarten classes of a child under the care of a grandparent who has been appointed managing conservator of the child.

Remarks: A child is eligible for enrollment in a prekindergarten class if the child is at least three years of age and primarily resides with a grandparent who has been appointed managing conservator of the child by court order.

SB 370 Shapiro: Relating to a school district employee's immunity from liability and responsibility for certain materials.

Companions: HB 974 (I)

Remarks: A school district may not by policy, contract, or administrative directive, require a district employee to assume liability for an act that is incident to or within the scope of the duties of the employee's position of employment or require a district

employee to pay for or replace property belonging to a student or other person that is or was in the possession of the employee because of an act that is incident to or within the scope of the duties of the employee's position of employment. A school board may not require an employee of the district to pay for electronic textbook or technological equipment that is damaged. A school district employee may not waive this provision by contract or any other means.

SB 372 Shapleigh: Relating to notice regarding the availability of programs under which a student may earn college credit in public schools.

Remarks: Each school year, a school district shall provide written notification to the parent of each district student enrolled in grade nine or above of the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs.

SB 478 Shapleigh: Relating to the authority of a member, agency, or committee of the legislature to receive on request one copy of public information from a governmental body without charge.

Remarks: One copy of public information that is requested from a governmental body by a member, agency, or committee of the legislature shall be provided without charge.

SB 529 Watson: Relating to the clean school bus program.

Remarks: Only diesel particulate filters for school buses built from 2000 to 2006 and closed crankcase filtration systems to eliminate diesel exhaust emitted from the engine crankcase for school buses built from 1992 to 2006 will be considered for a grant under the Clean School Bus program.

SB 530 Nelson: Relating to physical activity requirements and physical fitness assessment for certain public school students.

Remarks: A school district shall require a student enrolled in kindergarten or a grade level below grade nine to participate in moderate or vigorous daily physical activity for at least 30 minutes as part of a school district's physical education curriculum. A school district shall assess the physical fitness of students enrolled in kindergarten through grade 12. The assessment must be conducted twice during each school year, with one assessment conducted during the fall semester and one assessment conducted during the spring semester.

SB 550 Patrick, Dan: Relating to the percentage of available general fund revenue allocated by a school district for instructional activities.

Remarks: A school district shall allocate at least 65 percent of the district's total available general fund revenue to fund direct instructional activities in the district. The commissioner by rule shall determine the manner in which a district's total available general fund revenue for purposes of this section is computed. In adopting rules, the commissioner may not include local school district revenue from sources other than taxes, including grants and donations, in computing a district's total available general fund revenue.

SB 553 Shapleigh: Relating to a dual language education pilot program in certain school districts.

Remarks: To ensure that there are teachers with special training to work with other teachers and with students in a dual language education program, SBEC shall establish a dual language education teaching certificate. Creates a dual-language pilot program in selected districts.

- SB 603 Van de Putte:** Relating to staff development requirements in public schools.
- Remarks: In developing professional development training programs, a school district must consult with persons with expertise in research-based practices for students with disabilities.
- SB 606 Ogden:** Relating to the disclosure of the name of a student or minor who is a victim of abuse or unlawful conduct by an educator.
- Remarks: The name of a student or minor who is the victim of abuse or unlawful conduct by an educator is not subject to an open records request but must be filed in a confidential report. The name of a student or minor who is the victim of abuse or unlawful conduct by an educator must be filed in a confidential report but is not subject to an open records request.
- SB 648 Shapleigh:** Relating to information for teachers posted on the Texas Education Agency's Internet website.
- Remarks: The agency shall post on the agency's Internet website information relevant to the teaching profession, including information regarding: (1) educator certification, including alternative certification information; (2) school district job vacancies, organized by subject, grade level, and geographic area; (3) salary schedules for each school district, organized by position and years of experience; (4) the teacher appraisal process; (5) continuing education requirements and opportunities; (6) the Teacher Retirement System of Texas, including information relating to: (A) retirement benefits; (B) health insurance for active employees; and (C) health insurance for retirees; (7) lesson plan ideas organized by grade level and subject area; (8) Texas universities and colleges that offer advanced education degrees and financial assistance programs; (9) instructional resources available through the regional education service centers; and (10) links to education related websites.
- SB 673 Zaffirini:** Relating to allowing a student receiving special education services to participate in a graduation ceremony after the fourth year of high school.
- Remarks: A school district shall issue a certificate of attendance to a student who receives special education services and who has completed four years of high school but has not completed the student's individualized education program. A school district shall allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. A student may participate in only one graduation ceremony under this subsection.
- SB 697 Shapleigh:** Relating to the issuance of high school diplomas to certain crime victims.
- Remarks: A school district shall issue a high school diploma posthumously to each student who, attended high school in the district during the 2005-2006 school year at grade level 12 and was the victim of criminal homicide during that school year.
- SB 703 Deuell:** Relating to the regulation of dyslexia practitioners and therapists.
- Remarks: Provides for licensing requirements for "basic dyslexia practitioners" and "advanced dyslexia therapists." Provides for exemption for certified educators.
- SB 816 Averitt:** Relating to the eligibility of certain educational employees to participate or be enrolled in certain group health benefit programs.
- Companions: HB 973 (I)

- Remarks:** An employee of a district participating in the uniform group coverage program under or providing group health coverage whose resignation is effective after the last day of an instructional year is entitled to participate or be enrolled in the uniform group coverage plan or the group health coverage through the first anniversary of the date participation in or coverage under the uniform group coverage plan or the group health coverage was first made available to district employees for the last instructional year in which the employee was employed by the district. If an employee's resignation is effective after the last day of an instructional year, the district and the Teacher Retirement System of Texas may not diminish or eliminate the amount of a contribution available to the employee under Chapter 1579 or 1581, Insurance Code, before the last date on which the employee is entitled to participation or enrollment under.
- SB 817 Averitt:** Relating to the use of personal leave by a public school employee.
- Remarks:** Prohibits school districts from adopting policies governing the order in which employees use personal leave (state required versus district provided). A public school employee who retains any sick leave accumulated under pre-1995 statute may use the sick leave or personal leave in any order they choose to the extent that the leave is appropriate to the purpose.
- SB 826 West, Royce:** Relating to providing notice of residence homestead exemptions from ad valorem taxation to owners of certain residential real property.
- Remarks:** Would require that homeowners eligible for a homestead exemption are given notice of their eligibility.
- SB 834 Zaffirini:** Relating to requirements for monitoring compliance of public school bilingual education and special language programs.
- Remarks:** The agency shall evaluate the effectiveness of bilingual education and special language programs based on performance on the applicable academic excellence indicators including the results of assessment instruments, the results of the risk analysis and the results of an inspection. The agency shall monitor compliance with all applicable state laws and rules relating to programs under this subchapter by conducting an on-site monitoring inspection of each school district and open-enrollment charter school at least once every five years.
- SB 899 Ellis, Rodney:** Relating to design and construction standards for newly constructed or renovated state buildings, public school facilities, and higher education facilities.
- Remarks:** A state building that is being constructed or renovated must be certified to meet or exceed the silver standard under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system as that standard exists as of September 1, 2007. This applies to newly constructed or renovated instructional facility of a school district.
- SB 1067 Shapiro:** Relating to the enrollment in public school of students who are registered sex offenders and the notification requirements concerning certain offenses committed by students.
- Remarks:** A student may not enroll at a public school campus if the student is required to register as a sex offender.
- SB 1078 Carona:** Relating to the operation of a school bus.
- Remarks:** A person may not operate a school bus if the door of the school bus is open.
- SB 1079 Carona:** Relating to the operation of a school bus.

- Remarks:** A person may not operate a school bus if the number of passengers on the bus is greater than the manufacturer's design for the bus. An operator of a school bus, while operating the bus may prohibit a passenger from, standing in the bus, sitting on the floor of the bus or in any location that is a designated seat.
- SB 1082 Carona:** Relating to school bus emergency evacuation training in public schools.
- Remarks:** Each school district shall conduct a training session for students and teachers concerning procedures for evacuating a school bus during an emergency.
- SB 1277 Van de Putte:** Relating to the powers and duties of the boards of trustees and superintendents of independent school districts and of regional education service centers.
- Companions:** HB 2563 (I)
- Remarks:** An independent school district is governed by a board of trustees who, as a body corporate, shall: (1) oversee the management of the district; and (2) ensure that the superintendent implements and monitors plans, procedures, programs, and systems to achieve appropriate, clearly defined, and desired results in the major areas of district operations.
- SB 1381 West, Royce:** Relating to a parenting and paternity awareness component of the high school health curriculum.
- Companions:** HB 2176 (I)
- Remarks:** The State Board of Education, in conjunction with the office of the attorney general, shall develop a parenting and paternity awareness program that a school district shall use in the district's high school health curriculum.
- SB 1456 Uresti:** Relating to training for public school educators in the prevention of child abuse.
- Remarks:** Adds instruction in child abuse awareness and prevention to the list of training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. Additionally would require that TEA maintain on the agency Internet website a list of links to websites that provide information regarding the prevention of child abuse. Also mandates each school district provide annual training in child abuse prevention for teachers employed by the district.
- SB 1487 Patrick, Dan:** Relating to requiring annual reporting of public school district expenditures for extracurricular facilities.
- Remarks:** A summary of the information regarding extracurricular facilities from each school district shall be included in the comprehensive report prepared by TEA for the preceding school year. The annual financial management report must include a list of each gymnasium, stadium, or other recreational or extracurricular facility, including the following information for each facility: the type of facility, the year of the bond election authorizing the financing of the facility, the year construction of the facility was completed or the facility was acquired, the amount financed, the remaining balance of the debt, the estimated cost to maintain the facility, and any other descriptive information required by the commissioner.
- SB 1490 Watson:** Relating to information that must be provided to the parent of a public school student enrolled in a special education program.

Remarks: The agency shall routinely update the document produced and provided to school districts that explains the process by which an individualized education program is developed for a student in a special education program and the rights and responsibilities of a parent concerning the process so that the document includes current state and federal law. On receipt of an updated document, a school district shall provide a copy of the document to the parent of a student enrolled in a special education program.

SB 1493 Ellis, Rodney: Relating to the assignment of school nurses at public school campuses.

Remarks: Each school district with fewer than 500 students shall assign at least one full-time school nurse to each district campus. Each school district with more than 500 students shall employ at least one full-time school nurse for each 500 students enrolled in the district.

SB 1494 Ellis, Rodney: Relating to a notification requirement if a nurse is not assigned to a public school campus.

Remarks: A public school that does not have a full-time school nurse assigned to the campus for more than 30 consecutive instructional days during the same school year shall provide written notice of the absence of a nurse to the parent of or other person standing in parental relation to each student enrolled in the school.

SB 1643 Shapiro: Relating to educator preparation programs and to training, continuing education, appraisal and employment of public school teachers and administrators.

Remarks: The commissioner shall adopt rules establishing standards to govern the approval of accountability of all educator preparation programs, including the performance of students taught by beginning teachers for the first three years following certification. Teacher continuing education must be linked to areas identified in appraisal as needing improvement, areas identified as professional goals by the teacher, and the subject area taught by the teacher. The teacher appraisal process must address teachers' qualifications (degrees, experience, continuing education, etc.). Student performance must constitute a majority of a teacher's appraisal. At least 25 percent of this portion must be based on objective, quantifiable measures of the teacher's students and at least 10 percent on the overall performance or progress of the entire campus. If a teacher receives an unsatisfactory appraisal, the teacher's supervisor shall develop a performance improvement plan for the teacher that includes: the areas in which the teacher is in need of assistance, requirements or recommendations regarding evidence-based professional improvement activities, the evidence that will be used to determine whether the teacher successfully completes the required activities, requirements for changes in behavior and the evidence that will be used to determine whether the behavior changes, and a specific time line for completion of the plan. If a teacher employed under a term contract receives an unsatisfactory appraisal for two consecutive years, a district may decline to renew the contract or develop an additional performance improvement plan and be employed only under a term contract. If a teacher receives an unsatisfactory appraisal for three consecutive years, the district shall decline to renew the contract. Provides for revision to the methods of appraising principals and assistant principals. Appraisal must include: performance of campus based on objective and quantifiable measures, discipline management procedures, efforts to involve parents, and instructional leadership and support.

SB 1679 Janek: Relating to requirements for participation in extracurricular athletic activities.

Remarks: A Student may not participate in extracurricular athletic activities sponsored by a school district unless the student has submitted to the school district a completed form indicating that the student has received a physical examination

by a physician, physician assistant, or advanced practice nurse. The form must be signed by the physician, physician assistant, or advanced practice nurse and indicate that the examination determined that the student does not have a medical condition that would make it hazardous for the student to participate in the athletic activity.

SB 1686 Watson: Relating to the qualifications of personnel working with special education students.

Remarks: A student who is enrolled in a special education program must have an education in which teachers and other professionals and paraprofessionals providing special education instruction understand the unique nature of the student's special needs.

SB 1713 Eltife: Relating to the authority of a parent to designate a child-care facility or grandparent's residence for purposes of transportation provided by a public school transportation system.

Remarks: A county or school district board shall allow a parent to designate one of the following locations as a pick-up/drop-off spot if it is on an approved route: child care facility or residence of grandparent.

SB 1792 Whitmire: Relating to a safety education program in public schools.

Remarks: The commissioner shall develop a safety education program for use in all school districts. The safety education program must include age-appropriate curricula and educational materials about recognizing and reporting inappropriate conduct by an adult including, but not limited to, verbal comments, physical contact, photography, and online communications.

SB 1922 West, Royce: Relating to the assignment of a public school student to an inexperienced or uncertified teacher.

Companions: HB 1432 (I)

Remarks: Applies only to a school district with an enrollment of 5,000 or more students. A student in kindergarten through grade twelve may not be assigned for two consecutive school years to a teacher who has less than one year of teaching experience or does not hold the appropriate certificate. This prohibition does not apply if the student's parent or other person standing in parental relation to the student and a school counselor or school administrator agree that assignment of the student to the teacher should be allowed.

SB 1944 Patrick, Dan: Relating to the use by a political subdivision of public money for fees and dues of a state association or organization.

Companions: HB 1753 (I)

Remarks: Prohibit organizations that accept general fund fees from political subdivisions from attempting to influence the outcome of legislation or being involved in campaigns (applies Texas Association of Counties language to other local government organizations). Allows taxpayers, county and district attorneys, the attorney general, or the public integrity unit to bring suit.

HB 20 Corte: Relating to the expulsion of students for assault of school employees.

Remarks: A student shall be removed from class and placed in a disciplinary alternative education program if the student engages in reckless conduct that contains the

elements of the offense of assault under Section 22.01(a)(1), Penal Code, (intentionally, knowingly causes bodily injury to person and/or spouse).

- HB 92 Branch:** Relating to the acquisition of certain automated external defibrillators.
- Remarks: Changes requirements related to districts ensuring that external defibrillators be delivered by licensed practitioners and in conformance with applicable requirements in the Health and Safety Code to only require this if the external defibrillator has not been approved by the USFDA for over-the-counter sale.
- HB 113 Strama:** Relating to the absence of a student from public school for certain activities.
- Remarks: Adds: appearing at a governmental office to complete paperwork required in connection with the student's application for United States citizenship or to take part in a naturalization oath ceremony; attending an appointment with the student's probation officer; attending an adoption proceeding involving the student; attending a required court appearance; or visiting with the student's parent if the parent has been called to duty for, is on leave from, or is returning from overseas deployment as a member of the armed forces of the United States, a reserve component of the armed forces of the United States, or the state military forces to the list of excused absences.
- HB 121 Dukes:** Relating to public school policies designed to prevent dating violence.
- Remarks: Each school district shall adopt and implement a dating violence policy to be included in the district improvement plan. A dating violence policy must: include a definition of dating violence that includes the intentional use of physical, sexual, verbal, or emotional abuse by a person to harm, threaten, intimidate, or control another person in a relationship of a romantic or intimate nature, regardless of whether that relationship is continuing or has concluded; and address safety planning, enforcement of protective orders, school-based alternatives to protective orders, training for teachers and administrators, counseling for affected students, and awareness education for students and parents. The commissioner shall establish a pilot project under which the agency provides an age-appropriate curriculum concerning issues of domestic violence for students in grades 9 and 10 in school districts selected by the commissioner from Bexar County, Dallas County, and Harris County. The commissioner may not implement the pilot project in the Garland Independent School District.
- HB 135 Villarreal:** Relating to limits on the size of prekindergarten classes in public schools.
- Companions: SB 895 (I)
- Remarks: Adds pre-kindergarten to 22 to 1 requirements.
- HB 136 Olivo:** Relating to promotion of students to certain grade levels in public schools.
- Companions: HB 3808 (I)
- Remarks: At least 80 percent of the members of the district-level committee with respect to the Excellence Awards Program must be employees subject to the minimum salary schedule.
- HB 138 Strama:** Relating to registered sex offenders and alternative education placement.
- Remarks: Upon receipt of notice under the Code of Criminal Procedure, regarding registered sex offenders, the superintendent or designee upon enrollment of a student who is a registered sex offender shall immediately place that student in a disciplinary alternative education program.

- HB 163 Raymond:** Relating to bullying as a ground for removing a public school student from class and placing the student in a disciplinary alternative education program.
- Remarks: A student shall be removed from class and placed in a disciplinary alternative education program if the student, on or within 300 feet of school property, as measured from any point on the school's real property boundary line, or while attending a school-sponsored or school-related activity on or off of school property, including while on a school bus or at a school bus stop, engages in bullying. In this subsection, "bullying" means engaging in written or verbal expression or physical conduct that: the student knows or reasonably believes will cause significant emotional distress to another student; causes significant emotional distress to another student; and would cause significant emotional distress to a reasonable person under the same circumstances.
- HB 169 Raymond:** Relating to mandatory kindergarten attendance in public schools.
- Remarks: Lowers age for mandatory attendance from six to five.
- HB 170 Raymond:** Relating to limits on the size of prekindergarten classes in public schools.
- Remarks: Creates an 18 to 1 class size requirement for pre-kindergarten.
- HB 185 Hochberg:** Relating to gang-related activity in and around public schools.
- Remarks: Adds "has been identified by a law enforcement agency as a member of a criminal street gang and engages in conduct that a reasonable person would believe is a manifestation of membership in a criminal street gang" to the list of activities that result in required placement in a DAEP.
- HB 192 Miller:** Relating to the punishment prescribed for certain attempts to commit an offense on school premises or on the premises of a school-sponsored activity.
- Remarks: In trials related to an attempt to commit kidnapping, sexual offenses, or assault, requires the judge to make a finding of fact related to whether the actor was 18 or older and the victim was younger than 14 and the attempt was committed on the premises of a school or educational institution or where an official school sponsored activity was taking place. If the judgment includes an affirmative finding, then the offense for the attempt is subject to the same punishment as the punishment prescribed for the offense attempted.
- HB 200 Menendez:** Relating to an offense of using a wireless communication device while operating a motor vehicle in a school crossing zone.
- Companions: HB 397 (I)
- Remarks: Prohibits using a wireless communication device within a school crossing zone unless the vehicle is stopped.
- HB 214 Vo:** Relating to the availability of automated external defibrillators at certain public school campuses and events.
- Remarks: Each school district shall make available at each campus in the district and at each University Interscholastic League athletic competition held in the district an automated external defibrillator. Each school district shall ensure the presence at each location of at least one campus or district employee trained in the proper use of an automated external defibrillator at any time a substantial number of district students are present at the location. A school district may seek and accept gifts, grants, or other donations to pay the district's cost of purchasing

automated external defibrillators required under this section. This section does not apply to an athletic competition at which emergency services personnel are present under a contract with the school district.

- HB 215 Farrar:** Relating to immunization against the human papilloma virus.
- Remarks: Requires immunization against the human papilloma virus for females enrolling in grade 6. The agency shall prescribe procedures by which each school district shall provide information to parents and guardians of female students relating to the connection between human papilloma virus and cervical cancer.
- HB 229 Ritter:** Relating to three-point seat belts on school buses.
- Companions: SB 118 (I)
- Remarks: A school bus shall be equipped with a three-point seat belt for each passenger, including the operator, if the bus is acquired on or after September 1, 2007.
- HB 254 Smith, Todd:** Relating to the expulsion of a public school student who engages in certain conduct off campus or while the student is not at a school related activity.
- Remarks: A student shall be expelled from a school based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if the student receives deferred prosecution for conduct defined as a capital felony or felony of the first degree, a court or jury finds that the student has engaged in delinquent conduct defined as a capital felony or felony of the first degree or the superintendent or the superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a capital felony or felony of the first degree.
- HB 273 Truitt:** Relating to certain purchasing procedures for school districts.
- Remarks: In determining best value for a school district with respect to purchasing, the district shall consider purchase price, reputation, quality, need, etc. If the state auditor determines that a sufficient level of performance has not been achieved, the district may not renew the contract. A school district that enters into a purchasing contract under cooperative purchasing program authorized for school districts by law may pay a fee in an amount not to exceed two percent of the amount to be paid under the contract to a person designated in the contract for performing management services related to the contract. The amount and disposition of any fee must be presented in a written report and submitted annually in an open meeting of the board of trustees of the school district. The written report must appear as an agenda item.
- HB 287 Herrero:** Relating to limits on class size at certain grade levels in public schools.
- Remarks: Reduces 22:1 provision to 17:1
- HB 296 Farrar:** Relating to limits on the size of prekindergarten classes in public schools.
- Remarks: Creates 18 to 1 student ratio in pre-kindergarten.
- HB 311 Chisum:** Relating to parental approval of a student's participation in human sexuality instruction in public schools.
- Companions: SB 1807 (I)
- Remarks: Before a student may be provided with human sexuality instruction, a school district must obtain the written consent of a parent of the student. A request for

written consent under this subsection: may not be included with any other notification or request for written consent provided to the parent; and must be provided to the parent not later than the 14th day before the date on which the human sexuality instruction begins.

- HB 323 Hamilton:** Relating to seat belts on buses that transport schoolchildren.
- Companion: SB 724 Lucio
- Remarks: Requires each new school bus to be equipped with seat belt for each passenger beginning September 2008. Requires all school buses by 2017 to have seat belts for each passenger.
- HB 346 Flynn:** Relating to random testing of certain public school students for steroid use.
- Remarks: The league shall adopt rules prohibiting a student from participating in an athletic competition sponsored or sanctioned by the league unless the student agrees not to use steroids and submits to random testing for the presence of illegal steroids in the student's body.
- HB 366 Villarreal:** Relating to consideration of the importance of daily recess by local school health advisory councils.
- Remarks: The local school health advisory council shall consider and may make policy recommendations concerning the importance of daily recess for elementary school students. The council may consider any research regarding unsupervised play, academic and social development, and the health benefits of daily recess in making the recommendations. The council shall ensure that local community values are reflected in any policy recommendation made to the district under this subsection.
- HB 376 Anchia:** Relating to site-based public school discipline policy committees.
- Remarks: Each school district shall permit the establishment of a site-based school discipline policy committee at a district campus.
- HB 379 Allen, Alma:** Relating to corporal punishment in public schools.
- Remarks: A school district employee or a volunteer or independent contractor of a district may not administer corporal punishment or cause corporal punishment to be administered to a student.
- HB 397 Cook, Byron:** Relating to an offense of using a wireless communication device while operating a motor vehicle in a school crossing zone.
- Companions: HB 200 (I)
- Remarks: Prohibits the use of wireless communication devices while within a school crossing zone.
- HB 426 Madden:** Relating to standards for the operation of school district disciplinary alternative education programs.
- Remarks: The agency shall adopt minimum standards for the operation of disciplinary alternative education programs, including standards relating to: student/teacher ratios; student health and safety; reporting of abuse, neglect, or exploitation of students; training for teachers in behavior management and safety procedures; and planning for a student's transition from a disciplinary alternative education program to a regular campus.

- HB 436 Madden:** Relating to the creation of the offense of continuous sexual abuse of a child, the prosecution and punishment of that offense, and the consequences of a conviction for that offense.
- Companions:** SB 78 (I)
- Remarks:** Adds continuous sexual abuse of a young child to the list of behaviors that result in required expulsion.
- HB 439 Hochberg:** Relating to the statewide plan for delivery of services to public school students with disabilities and resources for teachers of public school students with special health needs.
- Remarks:** Provides new training requirements for regular education teachers teaching students with special health needs. Provides regular education teachers the ability to call staffing or intervention team meetings and/or ARD meetings as necessary. Requires the creation of a state website with resources for teachers working with students with special needs.
- HB 457 Rodriguez:** Relating to providing notice of residence homestead exemptions from ad valorem taxation to owners of owner-occupied property.
- Remarks:** A notice must contain the following statement in boldfaced 12- point type: "According to the records of the appraisal district, the residential real property described in this notice of appraised value is not currently being allowed a residence homestead exemption from ad valorem taxation. If the property is your home and you occupy it as your principal place of residence, the property may qualify for one or more residence homestead exemptions, which will reduce the amount of taxes imposed on the property. The form needed to apply for a residence homestead exemption is enclosed. Although the form may state that the deadline for filing an application for a residence homestead exemption is April 30, a late application for a residence homestead exemption will be accepted if filed before February 1, (insert year application must be filed). There is no fee or charge for filing an application or a late application for a residence homestead exemption." The notice must be accompanied by an application form for a residence homestead exemption.
- HB 482 Villarreal:** Relating to the eligibility of certain educationally disadvantaged students to attend free prekindergarten classes.
- Remarks:** A child who is eligible for enrollment in a pre-kindergarten class because of the child's placement in foster care or other residential care under the conservatorship of the Department of Family and Protective Services remains eligible for enrollment if the child is adopted after enrolling in the class.
- HB 494 Madden:** Relating to assessment of the academic growth of students attending a disciplinary alternative education program and evaluation of disciplinary alternative education programs.
- Remarks:** Requires the assessment of students placed in DAEP programs for 90 days or longer. The Commissioner must approve the assessment and students are assessed initially on placement in the DAEP and on or near the departure date. The Agency shall explore alternative methods of evaluating the effectiveness of DAEPs that include indicators related to state assessments, academic improvement, course completion and behavior improvement.
- HB 503 Castro:** Relating to health education curriculum and instruction in public schools.

- Remarks: Any course materials and instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus or acquired immune deficiency syndrome shall be selected by the board of trustees with the advice of the local school health advisory council and must: provide a clear understanding of abstinence from sexual activity and engaging in sexual activity; include strategies to promote effective communication between adolescents and their parents and family members about human sexuality.
- HB 507 Bailey:** Relating to the submission and opening of bids, proposals, and statements of qualifications for contracts involving school districts facilities.
- Remarks: A request for bids, proposals, or qualifications by or on behalf of a school district that relates to the construction, rehabilitation, alteration, or repair of a district facility must require that all bids, proposals, or statements of qualifications be submitted sealed and delivered to specified district officers or personnel at a designated district office. A school district shall publicly open all bids, proposals, or statements of qualifications and as each bid, proposal, or statement of qualifications is opened, read aloud the name of the bidder and the fee or price, if any, stated in the bid, proposal, or statement of qualifications.
- HB 509 Harless:** Relating to the enrollment in public school of certain students who are registered sex offenders.
- Remarks: A student may not enroll at a public school campus if the student is required to register as a sex offender under Chapter 62, Code of Criminal Procedure, as a result of a reportable conviction or adjudication for a sexually violent offense.
- HB 531 Madden:** Relating to the eligibility of certain high school students to take the high school equivalency examination.
- Remarks: A school district shall recommend that a student placed in a disciplinary alternative education program take the high school equivalency examination if: (1) the student is not likely to receive a high school diploma before the sixth school year following the student's enrollment in grade nine, as determined by the school district; (2) the student is at least 16 years of age; and (3) the student's parent or guardian consents to the student taking the high school equivalency examination.
- HB 566 Hamilton:** Relating to compulsory attendance for students who are at least 18 years of age.
- Remarks: Strikes provision allowing school districts to revoke the enrollment of students who voluntarily enrolled in school after their 18th birthday and have more than five unexcused absences in a semester. Section 25.093 related to parental responsibility for non-attendance would not apply to these students. Certain provisions related to parental responsibility for student attendance would no longer apply to these students.
- HB 572 Gonzales:** Relating to reports of incidents of bullying at public schools and at public school activities.
- Remarks: In accordance with rules adopted by the commissioner, each school district shall report annually to the agency information regarding each incident of bullying that occurred during the preceding school year in the district on school property, in a school vehicle, or at a school-sponsored or school-related activity, including at a school bus stop. The agency shall include the information in the comprehensive annual report required.
- HB721 Eissler:** Relating to the certification of educational diagnosticians.

- Companions:** SB 158 (I)
- Remarks:** Adds diagnostician to list of personnel who must be certified.
- HB 748 Dutton:** Relating to an affirmative defense available to certain students who engage in sexual contact with another student at least 13 years of age.
- Remarks:** It is an affirmative defense to prosecution that the actor was of the opposite sex and not more than three years older than the victim, or not more than five years older if both the actor and victim were enrolled in public or private school grade level nine or above at the time of the offense.
- HB 752 Dutton:** Relating to the right of an employee to time off from work to participate in certain school activities of the employee's child.
- Remarks:** Entitles employees with up to eight hours of leave in a twelve month period to meet with a teacher of the employee's child or participate in a school activity of the employee's child.
- HB 753 Dutton:** Relating to the right of an employee to time off from work to meet with certain persons affecting the education of the employee's child.
- Remarks:** Entitles employees with up to eight hours of leave in a twelve month period to meet with a teacher of the employee's child, the school counselor of the employee's child, the principal of the school the employee's child is attending.
- HB 776 Dutton:** Relating to the delivery of a child taken into custody under the juvenile justice system to a school official.
- Companions:** SB 1072 (I)
- Remarks:** A person taking a child into custody, can bring the child to the school campus to which the child is assigned if the principal, the principal's designee, or a peace officer assigned to the campus agrees to assume responsibility for the child for the remainder of the school day.
- HB 784 Dutton:** Relating to the provision of certain information to public school employees whose employment is terminated.
- Remarks:** A school district that terminates the employment of a school district employee shall provide to the employee a written statement of any administrative procedures and remedies the employee must exhaust before the employee may bring suit against the district for the termination.
- HB 786 Dutton:** Relating to referral of public school students to law enforcement officials for violations of an independent school district student code of conduct.
- Remarks:** A school administrator may not refer a student to a law enforcement official on the basis of conduct by the student that violates the student code of conduct but that the administrator knows or has reason to know it is not a criminal offense.
- HB 787 Dutton:** Relating to duty-free lunch periods for public school nurses.
- Remarks:** Entitles full-time school nurses to at least a 30 minute lunch period free from all duties and responsibilities connected with instruction and supervision of students.
- HB 790 Dutton:** Relating to public school disciplinary procedures and the evaluation of disciplinary alternative education programs.

- Remarks: Stipulates that an out-of-school suspension may not exceed three school days. Entitles a student and the student's parent or guardian to a conference for removal of a student from class if the student receives, an in-school suspension that is to exceed three school days; an in-school suspension of any length during the same school year in which the student previously received an in-school suspension of three or more days, or an out-of-school suspension of any length. Entitles student to a written notice of the reasons for the expulsion that explains the basis for the expulsion and states whether the student is a threat to the safety of other students or to district employees.
- HB 792 Dutton:** Relating to a maximum class size for certain public school students who perform poorly on an assessment instrument.
- Remarks: If a student in the third, fourth, or fifth grade at a campus does not perform satisfactorily on TAKS, that campus may not enroll the student in a class with more than nine other students until the student completes the sixth grade.
- HB 793 Dutton:** Relating to the presence of a teacher during the search of a student at a public school.
- Remarks: A school official or peace officer may not conduct a search of a student or the student's property or locker, on school property or while the student is attending a school-sponsored or school-related activity on or off of school property, unless the teacher of a course in which the student is enrolled is present during the search.
- HB 811 Dutton:** Relating to governmental liability.
- Remarks: A governmental unit in the state is liable for damage (personal or property) that arises from the use or operation of a vehicle that furnishes the condition that causes the damage.
- HB 826 Anchia:** Relating to the use of motion sensor technology in certain state buildings, public school facilities, and higher education facilities.
- Remarks: A school district that constructs a new instructional facility shall include in the construction plans for the facility the use of motion sensor technology. Not later than one year after the acquisition by a school district of a building to be used as an instructional facility that does not use motion sensor technology, the school district shall retrofit the acquired building with motion sensor technology.
- HB 833 Dutton:** Relating to the prevention of harassment in public schools.
- Remarks: Stipulates the policy a school board shall adopt that prohibits harassment. Redefines harassment to mean an intentional threatening, insulting, or dehumanizing physical act, gesture, or written or oral expression, including an expression made through an electronic medium, by a person directed against a student or school employee or volunteer that the person knows or reasonably should know will, place the student or school employee or volunteer in reasonable fear of harm to the student's, employee's, or volunteer's person or damage to the student's, employee's, or volunteer's property; or because of the severity, persistence, or pervasiveness of the action or expression, create an intimidating, threatening, or abusive educational environment for the student or school employee or volunteer, including by interference with a student's educational performance, opportunities, or benefits or a substantial disruption of the orderly operation of a school.

- HB 835 Dutton:** Relating to the adoption and enforcement by the board of trustees of a school district of rules relating to student conduct.
- Remarks: The board of trustees of a school district may not adopt a rule under this section or enforce a rule adopted under this section under which a violation of the student code of conduct is an offense unless that violation would otherwise be an offense under state or federal law.
- HB 843 Olivo:** Relating to the discipline of public school students who voluntarily surrender prohibited items.
- Remarks: Would allow a student who unknowingly brings to school a prohibited item to avoid disciplinary action by turning over the item to a school official and the school official must provide written notice of the incident to the student's parent.
- HB 844 Olivo:** Relating to accountability under the statewide public school accountability system for a student placed in a disciplinary alternative education program.
- Remarks: For purposes of accountability, a student placed in a disciplinary alternative education program is reported as if the student were enrolled at the student's assigned campus in the student's regularly assigned education program, including a special education program.
- HB 845 Olivo:** Relating to training of school district peace officers and security personnel in certain discipline management practices and behavior management techniques.
- Remarks: A school resource officer or a person employed as a school district peace officer or as security personnel must receive any training required as mandated by the law unless the officer is a peace officer while performing law enforcement duties; juvenile probation, detention, or corrections personnel; or an educational services provider with whom a student is placed by a judicial authority, unless the services are provided in an educational program of a school district.
- HB 846 Olivo:** Relating to the right of a parent of a public school student to prompt notice of certain disciplinary action taken against the student.
- Remarks: A parent is entitled to notice from a school district if the parent's child is removed from class for placement in a disciplinary alternative education program for expulsion or placement in a juvenile justice alternative education program. A school district shall provide the notice not later than 5 p.m. on the first business day after the day the student is removed from class.
- HB 847 Olivo:** Relating to evaluation of disciplinary alternative education programs and reporting regarding the academic performance of students placed in those programs.
- Remarks: Would require in the evaluation of disciplinary education programs a comparison in performance between students participating in the disciplinary alternative education program and students in the regular education program in the same district. Additionally it would require the data of students in the alternative disciplinary education program to be disaggregated by disability, LEP and migratory statuses.
- HB 848 Olivo:** Relating to school district reporting of students placed in disciplinary alternative education programs or expelled from school.
- Remarks: Would require the district to report whether a student being placed in a disciplinary alternative education program was enrolled in a special education

program at the time of expulsion or placement. For each circumstance in which a student engages in conduct for which the student is subject to expulsion but in which the district does not expel the student because the student's incarceration or other circumstance prevents the district from taking that action, the district would be required to report complete information about the student.

- HB 849 Olivo:** Relating to transportation to and from a disciplinary alternative education program or juvenile justice alternative education program and the length of a school day at a disciplinary alternative education program.
- Remarks: A school district shall provide transportation to and from the district's disciplinary alternative education program for a student placed in the program.
- HB 850 Olivo:** Relating to training for school resource officers and school district peace officers.
- Remarks: The commission by rule shall require a law enforcement agency of a political subdivision that employs a school resource officer or a school district that employs a school district peace officer to provide the officer with a training program that includes a curriculum that incorporates learning objectives developed by the commission regarding discipline management practices or behavior management practices that are consistent current law.
- HB 851 Olivo:** Relating to consideration of mitigating factors in determining appropriate disciplinary action to be taken against a public school student.
- Remarks: Requires that consideration will be given, as a factor in a decision regarding suspension, removal to a disciplinary alternative education program, or expulsion, to self-defense; intent or lack of intent at the time the student engaged in the conduct; a student's disciplinary history; or a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.
- HB 877 Howard, Charlie:** Relating to suspending a public school student from participating in extracurricular activities under certain circumstances.
- Remarks: A student who is convicted of a Class C misdemeanor or is found to have engaged in conduct indicating a need for supervision, shall be suspended from participating in any extracurricular activity sponsored or sanctioned by a school district or the University Interscholastic League for two consecutive weeks during the 30- day period immediately following the date of the student's conviction or adjudication and during the duration of the criminal or juvenile court proceeding. A student who is charged with an offense punishable by confinement or who has been referred to juvenile court for allegedly engaging in delinquent conduct may not participate in any extracurricular activity sponsored or sanctioned by a school district or the University Interscholastic League during the duration of the criminal or juvenile court proceeding.
- HB 884 Brown, Betty:** Relating to the punishment of certain assaults committed against employees of primary and secondary schools.
- Remarks: Assault is a felony of the third degree if committed against an employee of a public or private primary or secondary school while the employee is engaged in performing duties within the scope of employment or in retaliation for or on account of the employee's performance of a duty within the scope of employment.
- HB 933 Harper-Brown:** Relating to the bilingual education and special language programs offered in public schools.

- Remarks:** A bilingual education program established by a school district shall be a full-time program of dual-language instruction that provides for learning basic skills in the primary language of the students enrolled in the program and for carefully structured and sequenced mastery of English language skills. An English language immersion program established by a school district shall be a program of instruction provided primarily in English.
- HB 958 Bonnen:** Relating to certain requirements imposed on a sex offender who enters the premises of a school.
- Remarks:** Requires registered sex offenders to immediately notify the administrative office of a school upon entering the premises of a school. The definition of school in this statute includes an educational program provided by the Texas Youth Commission to children who are committed to the commission. A person who is required to register under this statute may not work or reside within or go in, on, or within 1,000 feet of a premises used to provide an educational program to children who are committed to the Texas Youth Commission unless the person is the parent, conservator, or legal guardian of a child committed to the commission in which case the person shall notify appropriate administrative authorities of the person's presence on the premises.
- HB 973 Eissler:** Relating to the eligibility of certain educational employees to participate or be enrolled in certain group health benefit programs.
- Companions:** SB 816 (I)
- Remarks:** An employee of a district participating in the uniform group coverage program or providing group health coverage whose resignation is effective after the last day of an instructional year is entitled to participate or be enrolled in the uniform group coverage plan or the group health coverage through the first anniversary of the date participation in or coverage under the uniform group coverage plan or the group health coverage was first made available to district employees for the last instructional year in which the employee was employed by the district.
- HB 974 Eissler:** Relating to a school district employee's immunity from liability and responsibility for certain materials.
- Companions:** SB 370 (I)
- Remarks:** A school district may not by policy, contract, or administrative directive, require a district employee to assume liability for an act that is incident to or within the scope of the duties of the employee's position of employment or require a district employee to pay for or replace property belonging to a student or other person that is or was in the possession of the employee because of an act that is incident to or within the scope of the duties of the employee's position of employment. A school board may not require an employee of the district to pay for electronic textbook or technological equipment that is damaged. A school district employee may not waive this provision by contract or any other means.
- HB 978 Smith, Wayne:** Relating to publication of the annual financial statement by a school district.
- Remarks:** An annual financial statement shall be published not later than two months after the date the fiscal year ends, except that a school district's statement shall be published not later than the 150th day after the date the fiscal year ends and in accordance with the accounting method required by the Texas Education Agency.
- HB 994 Martinez Fischer:** Relating to requiring public high school students to assist in the conduct of elections.

- Remarks: In addition to the other graduation requirements, to graduate and receive a diploma, a student must participate as an assistant election clerk in at least one election. This does not apply to a student with a disability that significantly interferes with the student's ability to perform any of the duties of an assistant election clerk.
- HB 997 Vo:** Relating to limits on the size of fifth grade classes in public schools.
- Remarks: Adds 5th grade to 22:1 provision.
- HB 999 Anchia:** Related to the adoption of energy efficiency and conservation standards for the design, construction, and renovation of public school instructional facilities.
- Remarks: A school district that constructs a new instructional facility or conducts a major renovation of an existing instructional facility shall ensure that the instructional facility meets the standards adopted the Leadership in Energy and Environmental Design (LEED) Green Building Rating System.
- HB 1017 Zedler:** Relating to student clubs in the public schools.
- Remarks: Requires school districts to obtain written parental consent as a condition of a student's participation in a student club. Requires specific information about the club to be provided to parents. Prohibits student clubs from encouraging criminal or delinquent conduct, promoting bigotry, or engaging in activity involving human sexuality.
- HB 1059 Parker:** Relating to an immunization awareness program in certain school districts.
- Remarks: A school district that maintains an Internet website shall post prominently on the website a list of: (1) the immunizations required for admission to public school by rules of the Department of State Health Services; 2) any immunizations, in addition to immunizations required for admission to public school by the board of trustees of the district; (3) any immunizations or vaccines recommended for public school students by the Department of State Health Services or the board of trustees of the district; and (4) health clinics in the district that offer the influenza vaccine.
- HB 1063 King, Phil:** Relating to the publication of certain notices by a taxing unit in connection with the adoption of an ad valorem tax rate for the taxing unit.
- Remarks: If a tax notice is published in a newspaper, the publication must be in a daily, weekly, or biweekly newspaper published in the taxing unit. If there is no daily, weekly, or biweekly newspaper published in the taxing unit, the notice must be published in at least one newspaper of general circulation in the county in which the principal administrative office of the taxing unit is located.
- HB 1076 Rose:** Relating to state educational mandates imposed on school districts.
- Remarks: The commissioner by rule shall establish a procedure under which a school district or group of school districts may request a hearing with the agency to challenge a projected cost of a state educational mandate. A school district or group of school districts may request a hearing under this subsection only after a statute or rule becomes effective. If the agency determines at the conclusion of the hearing that the legislature has not appropriated funds sufficient to cover school districts' costs in complying with a state educational mandate, a school district is not required to comply with the mandate until the legislature appropriates funds sufficient to cover the costs of complying with the mandate.
- HB 1136 Hochberg:** Relating to the assignment of students to classroom teachers.

- Remarks:** A student in grades Kindergarten through 6 may not be assigned for two consecutive school years to a teacher who has less than one year of teaching experience or does not hold the appropriate certificate issued by SBEC. In a subject for which a student takes an assessment or, a student in grade 7 or higher may not be assigned for two consecutive school years to a teacher who has less than one year of teaching experience; or does not hold the appropriate certificate issued by SBEC.
- HB 1140 Hochberg:** Relating to a grant available to school districts to provide services to students with disabilities.
- Companions:** SB 1491 (I)
- Remarks:** The board of trustees of a school district shall, with the advice of its district-level committee, adopt a student code of conduct for the district. The student code of conduct must be posted and prominently displayed at each school campus or made available for review at the office of the campus principal.
- HB 1149 Madden:** Relating to policies concerning the use of school counselors' work time in certain school districts.
- Remarks:** In districts with more than a thousand students, would require school board to adopt policies which requires a counselor to spend not more than 10 percent of the counselor's total work time on duties that are not components of a counseling or guidance program. Time spent in administering assessment instruments or providing other assistance in connection with assessment instruments, except time spent in interpreting data from assessment instruments, is not considered time spent on counseling or guidance.
- HB 1152 Eiland:** Relating to enforcement of certain insurance provisions in and related to construction contracts.
- Remarks:** A construction insurance provision is void and unenforceable to the extent that the provision requires that a person, including an indemnitee under an indemnification agreement, be an additional insured; or a workers' compensation insurance policy be endorsed to provide a waiver of subrogation. An insurance policy provision or endorsement that provides for an additional insured or a waiver of subrogation in contravention of this section is void. The provisions of this chapter may not be waived by contract or otherwise.
- HB 1230 Rodriguez:** Relating to services provided to youth with disabilities transitioning from school-oriented living to post-schooling activities, services for adults, and community living.
- Remarks:** The executive commissioner shall monitor programs and services offered through health and human services agencies designed assist youth with disabilities to transition from school-oriented living to post-schooling activities, services for adults, or community living.
- HB 1287 Chisum:** Related to public school elective courses in the history and literature of the Old and New Testaments eras.
- Remarks:** A school district shall offer to students in grades nine or above an elective course in the history and literature of the Old Testament era and an elective course in the history and literature of the New Testament era.

- HB 1324 Madden:** Relating to placement of public school students with certain disabilities in disciplinary alternative education programs and juvenile justice alternative education programs.
- Remarks:** A school district that proposes to expel a student that receives special education services shall provide the administrator of the juvenile justice alternative education program or the administrator's designee with reasonable notice of the meeting of the student's admission, review, and dismissal committee to discuss the student's proposed expulsion. A representative of the juvenile justice alternative education program may participate in the meeting to the extent that the meeting relates to the student's placement in the program.
- HB 1387 King, Phil:** Relating to requiring a school district to provide for a feasibility study before acquiring title to real property through eminent domain.
- Remarks:** Before a school district may acquire title to real property under eminent domain, the school district must order a feasibility study.
- HB 1392 Turner:** Relating to the right of an employee who is a parent of a child enrolled in a special education program to time off from work to meet with certain persons affecting the education of the child.
- Remarks:** An employee who has been employed by the same employer for at least six consecutive months is entitled to leave in order to meet, at the request of the teacher, counselor or principal, with a teacher, counselor or principal of the school the employee's child is attending
- HB 1432 Giddings:** Relating to the assignment of a public school student to an inexperienced or uncertified teacher.
- Companions:** SB 1922 (I)
- Remarks:** Applies only to a school district with an enrollment of 5,000 or more students. A student in kindergarten through grade twelve may not be assigned for two consecutive school years to a teacher who, has less than one year of teaching experience, or does not hold the appropriate certificate. This prohibition does not apply if the student's parent or other person standing in parental relation to the student and a school counselor or school administrator agree that assignment of the student to the teacher should be allowed.
- HB 1435 Rose:** Relating to notification provided by certain health care providers to students and parents or guardians of students who participate in extracurricular sports activities sponsored ... by the University Interscholastic League.
- Remarks:** A physician, physician assistant, or nurse practitioner who examines a student to determine the student's physical fitness to participate in a sports activity sponsored or sanctioned by the UIL shall provide the student and the student's parent or guardian with written notification, in the form and with the specific content adopted jointly by the agency, the Department of State Health Services, the Texas Traumatic Brain Injury Advisory Council, and the University Interscholastic League, that explains the risk of head trauma resulting from a secondary impact suffered during a sports activity, the types of head trauma resulting from secondary impact that may occur, and the symptoms of head trauma resulting from a secondary impact. A physician, physician assistant, nurse practitioner, or athletic trainer who, at the time and place of injury, examines a student because the student has been injured in a sports activity sponsored or sanctioned by the UIL shall provide the student and the student's parent or guardian with the written notification required.

- HB 1473 Turner:** Relating to the waiver of sovereign immunity of a political subdivision for claims arising under employment law.
- Remarks: An employee of a political subdivision who alleges a violation state statute or a local ordinance affecting employment may sue the employing political subdivision for back pay and other relief necessary to enforce the employee's rights under the statute or ordinance. Sovereign or governmental immunity from suit and liability is waived to the extent necessary to allow the employee to obtain relief necessary to enforce the employee's rights under the statute or ordinance.
- HB 1506 Davis, Yvonne:** Requiring Spanish language instruction
- Remarks: Adds Spanish language to the required curriculum.
- HB 1507 Davis, Yvonne:** Relating to participation by certain students in bilingual and special language programs provided by school districts.
- Remarks: "Student of limited English proficiency" means a student whose primary language is other than English and whose English language skills are such that the student has difficulty performing ordinary class work in English or whose primary language is English, but whose English language skills do not reflect a proficiency in standard usage of the English language. These students are not included in determining whether a district is required to offer a bilingual or special language program. If a district offers a bilingual or special language program, the district shall permit students to participate in the program and shall make reasonable modifications to the program as necessary to reflect the inclusion of those students.
- HB 1517 Paxton:** Relating to the reporting of expenditures for legislative communication by local governmental entities.
- Remarks: The financial statement must clearly and concisely show: (1) each expenditure for legislative communication, including: (A) amounts paid to persons required to register because of activities on behalf of the local governmental entity; (B) amounts spent in connection with legislative communications made by officers and employees of the local governmental entity; and (C) membership dues or fees paid to organizations that engage in legislative communication on behalf of the local governmental entity and similarly situated entities; and (2) for each expenditure described by Subdivision (1), a detailed description of the issue to which the expenditure relates and the local governmental entity's position on that issue.
- HB 1540 Hancock:** Relating to excused absences in public schools.
- Remarks: A school district shall excuse a student from attending school for the purpose of visiting the State Capitol or a state or national park with the student's family, provided that: a district is not required to excuse more than two days for this purpose during each school year; and the student must submit a brief essay that describes the student's experiences while visiting the State Capitol or park and summarizes the historical, scientific, or other academic subject area information learned by the student during the visit.
- HB 1544 Howard, Charlie:** Relating to educator preparation and certification requirements concerning reading instruction for public schools.
- Remarks: In relation to teacher preparation and certification, aligns the "essential components of reading instruction," "reading," and "scientifically based reading research," with NCLB standards. This includes training in, the essential components of reading instruction; reading, spelling, grammar, punctuation, and

capitalization skills, the diagnosis of reading deficiencies, strategies for early intervention in reading deficiencies, scientifically based reading research on the manner in which children learn to read, scientifically based reading research on the manner in which proficient readers read, the structure of the English language, the relationships among reading, writing, and spelling, planning and delivering appropriate reading instruction based on assessment and evaluation, and independent student reading of high quality books and the relationship of that reading to improved reading performance. Requires five days of staff development for these teachers. Would be effective immediately should it pass by a two-thirds majority vote in both houses. If not, the bill would take effect September 1, 2007.

- HB 1553 Laubenberg:** Relating to information provided to the parent of a public school student concerning participation in a bilingual education or special language program.
- Remarks: Requires written consent from a parent in order for a student to be classified as LEP or to participate in bilingual education or special language programs. The consent form must be written in English as well as the primary language of the parents and be easy to read. Requires TEA to post information about the bilingual program and parent's rights on their website.
- HB 1583 Hopson:** Relating to increase of residence homestead exemption from ad valorem taxation by a school district to \$45,000 ... providing for adjustment of limitation ... imposed on elderly and disabled.
- Remarks: Increases homestead exemption to \$45,000.
- HB 1584 Hopson:** Relating to increasing amount of residence homestead to \$22,500 ... limiting total amount imposed on elderly or disabled to reflect increase exemption rate and protecting school districts from the resulting loss in revenue.
- Remarks: Increases homestead exemption to \$22,500 and provides for 65-and-older and disabled freeze.
- HB 1601 Madden:** Relating to the expulsion of a public school student for certain offenses committed on or off school property.
- Remarks: A student shall be expelled from school, without regard to whether the conduct occurs on or off school property if the student uses or possesses weapon or commits harm. This may occur only after superintendent receives notification of arrest.
- HB 1603 Laubenberg:** Relating to assessment of public school students enrolled in English immersion programs.
- Remarks: A student enrolled in an English language immersion program must be assessed using assessment instruments in English. A school district may apply to the commissioner for a waiver.
- HB 1622 Delisi:** Relating to the reporting of certain grievances by school district employees.
- Remarks: A school district grievance policy must permit a school district employee to report a grievance against a supervisor that alleges the supervisor's violation of the law in the workplace or the supervisor's unlawful harassment of the employee to a supervisor other than the supervisor against whom the employee intends to report the grievance.
- HB 1624 Giddings:** Relating to the reporting of information by a school district relating to certain offenses committed by certain students.

- Remarks: In the manner required by the commissioner, each school district shall annually report to the commissioner information relating to an offense that does not involve the use of a weapon: (1) committed by a student in kindergarten through grade five, during school hours, and on school property; and 2) for which the student receives a citation.
- HB 1665 Howard, C:** Relating to certain requirements relating to public school reading instruction and textbooks.
- Remarks: The reading curriculum, based on scientifically based reading research, must be grade specific and increase in depth and complexity from one school year to the next, focus on core knowledge, and include essential components of reading instruction to promote reading.
- HB 1675 Dutton:** Relating to the applicability of provisions of the Education Code to certain disciplinary alternative education programs.
- Remarks: An off-campus disciplinary alternative education program, including a disciplinary alternative education program located at a school community guidance center or a community-based alternative school, is subject to all requirements under Chapter 37.
- HB 1690 Bailey:** Relating to the provision of a preference in certain state and school district construction contracts for contractors that provide health benefits for employees.
- Remarks: In selecting a contractor for the construction, rehabilitation, alteration, or repair of a facility, a school district shall give a preference to a contractor that provides health benefits coverage that is at least equivalent to basic coverage provided under the state employees group benefits program.
- HB 1700 Hilderbran:** Relating to a project for the development and implementation of a nature science curriculum for public school students.
- Remarks: The State Board of Education shall assist in developing a nature science curriculum, in accordance with this section, the following entities, acting jointly: (1) the Outdoor School at Texas Tech University Center at Junction; (2) the Texas Sciences Technology, Engineering, and Math (T-STEM) Center of Texas Tech University; and (3) South Llano River State Park.
- HB 1769 Anchia:** Relating to the requirement that certain high school students successfully complete four courses in each subject of the foundation curriculum.
- Remarks: The State Board of Education by rule shall allow a student to comply with the curriculum requirements by successfully completing a career and technology course in the place of a mathematics course or a science course. A student may substitute the successful completion of not more than two career and technology courses.
- HB 1791 Anderson:** Relating to safety seats on school buses.
- Remarks: A bus shall be equipped with for a school bus acquired on or after September 1, 2007, a safety seat for "safety seat" means a seat that: is padded; has a back at least 28 inches high; and is equipped with a three-point lap and shoulder.
- HB 1811 Talton:** Relating to requiring public school teachers to recite pledges of allegiance to the United States and Texas flags.

- Remarks: Requires teachers to recite the pledge of allegiance with students unless he/she provides a written request to be excused.
- HB 1814 Macias:** Relating to implementation of a comprehensive character education and training pilot program at certain Texas Youth Commission facilities.
- Remarks: Requires a character education pilot program to be developed and implemented at the West Texas State School and the McLennan County State Juvenile Correctional Facility.
- HB 1838 Taylor:** Relating to the entitlement of certain students to attend a public school campus at which a full-time registered nurse is assigned.
- Remarks: A student who has a severe food allergy, and is assigned to a campus that does not have a full-time registered school nurse assigned to the campus; or the sibling of such a student is entitled to transfer to another campus in the student's school district of residence or to a campus in another school district in order to attend a campus at which a full-time registered school nurse is assigned. The sibling of a student is entitled to transfer to another campus under this section only in order to attend the same campus as the student. A school district is not required to provide transportation to a student who transfers to another campus under this section.
- HB 1844 Howard, C:** Relating to the administration of certain tests to home-schooled students by school districts.
- Remarks: A school district shall permit a home-schooled student to attend public school in the district to participate in an administration of the PSAT/NMSQT or a college advanced placement test offered by the district. A school district shall post on an Internet website maintained by the district the date the PSAT/NMSQT will be administered and the date any college advanced placement tests will be administered. A school district that does not maintain an Internet website must publish the information required by this subsection in a newspaper in the district. If a newspaper is not published in the school district, the district shall provide for the publication notice in at least one newspaper in the county in which the district's central administrative office is located.
- HB 1858 Murphy:** Relating to the computation of public high school grade point averages.
- Remarks: A school district that computes a student's high school grade point average in a manner that provides for additional weight to be given to any of the following types of course completed by a student shall provide for the same weight to be given to all of the following types of courses completed by a student; an honors course, an advanced placement course, an international baccalaureate course, or a dual credit course.
- HB 1859 Bailey:** Relating to minimum compensation for educational aides employed by school districts.
- Remarks: A school district shall pay each educational aide compensation that, calculated on an hourly basis, is not less than the amount of half of the salary, calculated on an hourly basis, the district would pay a classroom teacher with the same years of experience.
- HB 1923 Kolkhorst:** Relating to coordination between school districts and other governmental agencies regarding transportation infrastructure improvements associated with real property owned or proposed to be purchased by school districts.

- Remarks: Before a school district may issue bonds or enter into a contract to construct a facility to be used for any purpose on real property owned by the district on September 1, 2007, the board of trustees of the district must hold a joint meeting with representatives of the Texas Department of Transportation district office in which the district is located; and the commissioners court of each county in which any part of the property is located. The meeting must address, the impact of the facility on traffic and the transportation infrastructure in the area of the facility; the cost of any necessary associated transportation infrastructure improvements; and each entity that will be responsible for paying for any necessary associated transportation infrastructure improvements.
- HB 1925 Kolkhorst:** Relating to the transmission of information regarding public school students through the use of radio frequency identification technology.
- Remarks: A school district may not require a student to use an identification device that uses radio frequency identification technology or similar technology to identify the student, transmit information regarding the student, or track the location of the student. A school district that permits the voluntary use of a student identification device shall provide an alternative method of identification for a student if the student's parent or guardian submits timely written objection to the use of radio frequency identification technology.
- HB 1954 Farias:** Relating to a prohibition of trans fatty acids in meals provided to students by school districts.
- Companions: SB 862 (I)
- Remarks: In providing meals to students at a campus, a school district may not serve a food that contains trans fatty acids or that was prepared using another food that contains trans fatty acids. Would not apply to districts that have naturally occurring trans-fatty acids in them.
- HB 2030 Giddings:** Relating to the issuance of citations to children under the age of twelve years old.
- Remarks: A peace officer may not require a child under the age of twelve who is on school property during school hours to sign a citation. If the child's parent or legal guardian is not present and cannot be present at the time the citation is issued, a school administrator or teacher shall sign the citation for the sole purpose of witnessing and acknowledging the citation was issued. In signing this document, the school administrator or teacher is not legally committing themselves or assuming responsibility for the student or parent appearing in court. Not later than 2 business days after the issuance of a citation, a school official must notify the child's parent or guardian by phone, mail, or in person of the citation.
- HB 2040 Coleman:** Relating to a notification requirement if a nurse is not assigned to a public school campus.
- Remarks: A public school that does not have a full-time school nurse assigned to the campus for more than 30 consecutive instructional days during the same school year shall provide written notice of the absence of a nurse to the parent of or other person standing in parental relation to each student enrolled in the school.
- HB 2111 Patrick, Diane:** Relating to requiring flashing lights to be posted in school crossing zones.
- Remarks: A local authority shall designate all entry points of each school crossing zone located within its jurisdiction with one or more yellow or amber flashing caution lights. A caution light may be affixed to a speed sign. A local authority may contract with other entities, including local governments and civic organizations,

to implement this section. A local authority may accept gifts, grants, and money from any other source to implement this section.

HB 2112 Patrick, Diane: Relating to banning handguns and certain other weapons from parking areas associated with schools or educational institutions.

HB 2126 Murphy: Relating to the information collected through the Public Education Information Management System.

Remarks: Requires additional information to be collected through PEIMS including: a transcript for each student that records courses taken, grades, teachers in major subject areas, scores on national assessments, disciplinary warnings and actions taken, and participation in magnet programs as well as information on teacher training, experience, and professional activities.

HB 2136 Hancock: Relating to public disclosure of student referrals for services made by counselors in public schools.

Remarks: If a school district has made at least 20 referrals at the middle school, junior high and high school level to consult with student's parent or guardian it must provide a performance report to the agency.

HB 2162 Harless: Relating to the content of public school campus improvement plans.

Remarks: Each campus improvement plan must contain goals and methods for violence prevention and intervention, dropout deterrence, and academic enhancement on campus that may include ongoing, research-based teacher development programs that focus on: developing healthy self-esteem in students; nurturing the wellbeing of students; and creating a nurturing classroom environment.

HB 2176 Deshotel: Relating to a parenting and paternity awareness component of the high school health curriculum.

Companions: SB 1381 (I)

Remarks: The State Board of Education, in conjunction with the office of the attorney general, shall develop a parenting and paternity awareness program that a school district shall use in the district's high school health curriculum.

HB 2183 Geren: Relating to public school safety and the safety plan of a campus.

Remarks: Bill requires districts to report the expulsion of a student no later than the third day after the action is taken. Also requires districts to implement an incremental revision of the school safety plan aligned with the number of expulsions.

HB 2238 Eissler: Relating to the Public Education Information Management System (PEIMS).

Companions: SB 1066 (I)

Remarks: Requires inclusion of teacher information linked to student performance in PEIMS. Requires annual Agency publication of data standards. Requires policy advisory group to govern data collection and reporting.

HB 2279 Strama: Relating to the use of energy-efficient light bulbs in certain state buildings, public school facilities, and higher education facilities.

Remarks: A school district shall use the commercially available model of light bulb that uses the fewest watts for the necessary luminous flux or light output when replacing a light bulb in an instructional facility.

- HB 2312 Rose:** Relating to guardrails on school district bleachers.
- Remarks: All bleachers owned by a school district and used by students must be equipped with a vertical perimeter guardrail designed to prevent accidents.
- HB 2364 Smith, Todd:** Relating to instructional days and staff development days for a school district that adopts the optional flexible year program for public school students who fail to perform satisfactorily on an assessment instrument.
- Remarks: Repeals language related to optional flexible school year program that allow for 10 fewer days of instruction and that allow 5 staff development days to be used for instruction.
- HB 2429 Delisi:** Relating to requiring the Texas Education Agency to prepare a report regarding public education mandates.
- Remarks: Requires TEA to prepare a report on education mandates and the extent to which sufficient funding is available for each mandate. The report would be submitted on December 1, 2008.
- HB 2431 Hamilton:** Relating to the use of a safety belt by a school bus operator.
- Companions: SB 1080 (I)
- Remarks: Requires that a school bus operator wears a seat belt.
- HB 2433 Hamilton:** Relating to the operation of a school bus.
- Remarks: A person may not operate a school bus if, the door of the school bus is open, the number of passengers on the bus is greater than the manufacturer's design capacity for the bus, or a passenger is standing in the bus, sitting on the floor of the bus or in any location on the bus that is not designed as a seat.
- HB 2459 Flynn:** Relating to the use of public funds to print certain public documents in a language other than English and other bilingual requirements.
- Remarks: A state agency may not use public money to print a public document in a language other than English except for a historical document originally printed in a language other than English or a document required under federal law or by the federal government to be printed in a language other than English.
- HB 2463 Van Arsdale:** Relating to the authority of an owner of real property to require that ad valorem taxes be imposed on that real property on the basis of a five-year average of the property's taxable value.
- Remarks: Allows for property value appraisal based on five-year rolling averages.
- HB 2508 King, Phil:** Relating to the use of public resources to make communications that contain political messages.
- Remarks: Prohibits board members and school district employees from using any resources or facilities of the district (including time for which the person is being compensated) to electioneer for or against any candidate, measure or political party. Includes electronic mail as a resource and includes state offices and other political subdivisions in prohibition against supporting measure, officeholder, candidates, or political parties.
- HB 2532 Patrick, Diane:** Relating to the expulsion and placement in alternative settings of public school students who engage in conduct constituting certain felonies.

- Remarks:** Allows for expulsion and placement in an alternative setting if a student is charged with a felony offense or has been referred to a juvenile court for allegedly engaging in delinquent conduct for felony offense. A student must be placed in a JJAEP if the district is located in a county that operates a JJAEP or if the district contracts with the juvenile board of another county. Otherwise the student must be placed in a DAEP.
- HB 2601 Raymond:** Relating to the instruction of American Sign Language in public high schools.
- Remarks:** Classifies American Sign Language as a component of the enrichment curriculum. A public high school shall offer an elective course in the language, and another public school may offer an elective course in the language. The required elective high school course may not be offered through teleconferencing or another electronic means, but must be offered through in-person instruction by a teacher in the classroom.
- HB 2649 Rose:** Relating to a study of instruction in public schools regarding the Holocaust and identification of best practices regarding that instructions.
- Remarks:** The Texas Education Agency shall conduct or contract for a study of the degree to which public schools are providing instruction to students regarding the Holocaust.
- HB 2829 Haggerty:** Relating to the right of a public school educator to remove a student from the educator's classroom.
- Remarks:** It is a violation of the educator's code of conduct for an educator to retaliate against another educator for having removed a student from that educator's classroom.
- HB 2849 Anderson:** Relating to restrictions on written information required to be provided by school districts and public school teachers.
- Remarks:** The commissioner shall adopt policies that result in a reduction of at least 10 percent in the total amount of written paperwork, reports, and other information that a school district is required by the agency to prepare, as determined in comparison to the total amount of written paperwork, reports, and other information required to be prepared by a school district during the 2006-2007 school year. The policies must be implemented beginning not later than the 2008-2009 school year.
- HB 2874 Davis, Yvonne:** Relating to establishment of a state public school curriculum commission.
- Remarks:** The establishment of a state curriculum commission will ensure that this state, on a continuous basis: surveys, designs, encourages, and promotes the implementation of education and awareness programs in this state concerned with the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African Americans in building our state and country; and develops workshops, institutes, seminars, and other teacher training activities designed to educate teachers on this subject matter, and coordinates events on a regular basis throughout this state that provide appropriate commemoration of the events concerning the enslavement of Africans and their descendants in this country as well as their struggle for freedom and liberty.
- HB 2941 Bolton:** Relating to limits on the size of public school classes in prekindergarten, kindergarten, and grades one through four.
- Remarks:** Limits class sizes for these grades to 22:1.

- HB 3016 Dukes:** Relating to the guaranteed benefits of a public school educator.
- Remarks:** It is a violation of the educator's code of conduct for a principal, supervisor, or administrator to deny an educator a benefit provided to the educator, including, planning and preparation, a duty-free lunch, and personal leave. A principal, supervisor, or administrator may not retaliate against an educator for asserting the educator's right to these benefits.
- HB 3127 Harless:** Relating to the immunization requirements for admission to schools and during certain declared disasters.
- Remarks:** Does not authorize or require the medical treatment or immunization of an individual if the individual or in the case of a child, the parent, managing conservator, or guardian of the child objects to the medical treatment or immunization for reasons of conscience or the medical treatment or immunization is medically contraindicated based on the opinion of a physician licensed in this state or any other state who has examined the individual. An individual who objects to medical treatment or immunization may be isolated or humanely quarantined in an appropriate facility or at home. An exemption from medical treatment or immunization under this section does not apply during a public health disaster.
- HB 3145 Solomons:** Relating to requirements for participation in extracurricular athletic activities.
- Remarks:** A student may not participate in an extracurricular athletic activity sponsored by a school district unless the student has submitted to the school district a completed form indicating that the student has received a physical examination by a licensed physician or a person acting under the delegation and supervision of a licensed physician or a person acting under the delegation and supervision of a licensed physician. The form must be signed by the physician or the person acting under the physician's delegation authority and indicate that the student has been examined and that the student's current health status would permit the student to participate in the athletic activity. The physical examination form required by Subsection must be submitted to the school district before the student may participate in any athletic practice, scrimmage, game, or match.
- HB 3165 Farrar:** Relating to medically accurate information in the provision of instruction or the development of material relating to human development and human sexuality.
- Remarks:** A person who receives funding or other assistance from a department, agency, or political subdivision of this state to provide instruction or develop material for instruction regarding human development or human sexuality shall provide medically accurate information.
- HB 3171 Swinford:** Relating to the development by the Texas Education Agency of an Internet safety and use curriculum for use by school districts.
- Companions:** SB 1420 (I)
- Remarks:** The agency shall develop and make available to school districts an Internet safety and use curriculum that a district may use to educate students about: the potential dangers of allowing personal information to appear on an Internet website; the significance of copyright laws; and the consequences of cyber-plagiarism and theft of audiovisual works, including motion pictures, software, and sound recordings, through uploading and downloading files on the Internet.
- HB 3178 Anchia:** Relating to the admission of foreign exchange students to the public high schools of the state.

- Remarks: A school district shall not be granted a waiver from admitting foreign exchange students.
- HB 3189** Howard, Charlie: Relating to the notice of the public hearings to be held on a proposal to increase the total ad valorem tax revenues of a taxing unit.
- Remarks: Requires two public hearings for adopting tax rates. Changes information that must be published in notice.
- HB 3190** Giddings: Relating to minimum standards for school bus operators.
- Remarks: Person's driving records are not acceptable if the person has been convicted of alcohol-related offenses.
- HB 3243** Straus: Relating to requiring the installation of solar power generation panels in the construction of public schools.
- Remarks: A school board shall ensure that any new public school built in the district is designed for and constructed with solar electric generation panels on the rooftops of the school. The board may provide for the addition of solar electric generation panels to the rooftops of any existing public school in the district or for a new building on the property of a public school to be designed for and constructed with solar electric generation panels. An electric utility, retail electric provider, municipally owned utility, or electric cooperative shall provide for net metering and contract with an independent school district so that surplus electricity produced by a school building's solar electric generation panels is made available for sale to the electric transmission grid and distribution system and the net value of that surplus electricity is credited to the district.
- HB 3297** Callegari: Relating to unfunded mandates imposed on school districts.
- Remarks: Repeals certain mandates including school transfer of immunization records, requirements for dissemination of bacterial meningitis information, and the above statutory minimum payment requirements. Makes certain provisions related to school health advisory councils optional rather than mandates.
- HB 3362** Zedler: Relating to parental rights in public education.
- Remarks: Allows a parent to observe any class or activity in which the parent's child participates. A parent must obtain permission from the educator who is responsible for the class or activity before the parent may observe. An educator may not unreasonably deny a parent the opportunity to observe.
- HB 3409** Thompson: Relating to staff development training for certain public school personnel regarding student disciplinary procedures.
- Remarks: A principal or other appropriate administrator who oversees student discipline shall attend staff development training designed to assist the principal or administrator in determining methods for incorporating appropriate discipline management techniques consistent with the student code of conduct by the school district employing the principal or administrator.
- HB 3420** Eissler: Relating to performance appraisal of public school principals and assistant principals.
- Remarks: The appraisal of a principal or assistant principal shall include consideration of: the performance of students at the principal's or assistant principal's campus, based on objective, quantifiable measures of the student achievement and

progress, such as state assessment instruments, local benchmarking systems, portfolio assessments, and value-added assessments, and using measures of student progress whenever possible; the discipline management procedures used by the principal or assistant principal; efforts by the principal or assistant principal to involve parents in the educational process; and the instructional leadership and support provided to staff on the principal's or assistant principal's campus. The majority of an appraisal of a principal or assistant principal must be based on consideration of student performance and at least 25 percent of the portion of the appraisal based on student performance must be based on objective, quantifiable measures.

HB 3421 Eissler: Relating to accountability systems for public school educator preparation programs.

Remarks: The commissioner shall adopt rules with respect to educator preparation programs that include: performance of students taught by beginning teachers for the first three years following certification, as determined on the basis of the measure of annual improvement and any other factor considered appropriate by the commissioner; and perseverance of beginning teachers in the profession, as determined on the basis of the number of beginning teachers who maintain active status in the Teacher Retirement System of Texas for at least five years after certification.

HB 3422 Eissler: Relating to continuing education for public school teachers.

Remarks: Continuing education for a teacher must be evidence-based and linked to: (1) any areas identified in a teacher's appraisal as needing improvement; (2) any areas identified by a teacher for achievement of specific professional goals for improvement; and (3) the subject area taught by the teacher, as appropriate to generate improvement in pedagogy or subject area expertise. Bill History: 03-20-07 H Introduced and referred to committee on House Public Education

HB 3423 Eissler: Relating to performance appraisal of public school teachers.

Remarks: The commissioner shall adopt an appraisal process to appraise teacher performance that addresses at least the following considerations: discipline management procedures, student performance, and teacher qualifications (experience, continuing education, professional development). Student performance must constitute a majority of appraisal. This evaluation includes: at least 25 percent of that portion of the appraisal must be based on objective, quantifiable measures of the achievement and progress of the teacher's students, such as state assessment instruments, local benchmarking systems, portfolio assessments, and value added assessments; (2) at least 10 percent of that portion of the appraisal must be based on the overall performance or progress of students enrolled at the teacher's campus; (3) measures of student progress must be used whenever possible; and (4) observable measures of student performance may be used when appropriate. If a teacher receives an unsatisfactory appraisal for three consecutive years, a school district shall decline to renew the teacher's contract. A teacher performance improvement plan must be developed that includes the area in which the teacher needs improvement, requirements for improvement activities and changes in teacher behavior, and a timeline for improvement. Complete implementation of new process by September 2010.

HB 3433 Herrero: Relating to limits on the size of public school classes in kindergarten and grades one through four.

Remarks: An exception on class size limits in kindergarten and grades one through four for may not be granted for more than two consecutive semesters unless the commissioner determines that the school district has applied for the exception

because of a shortage of instructional facilities in the district and is in the process of constructing additional instructional facilities.

HB 3457 Hochberg: Relating to a school bus idling near a public school or school event.

Remarks: A school bus with a diesel engine shall keep its engine off when at a school or school event except when it is arriving or departing, or for the minimum time necessary for pre-heating or pre-cooling before departure, except that the engine shall be turned off when students are loading or unloading.

HB 3485 King, Susan: Relating to career and technology education.

Remarks: Allows for college credit to be earned through IB, AP, dual credit, locally articulated, and statewide articulated Advanced Technical Credit courses. School districts and partnering post secondary institutions shall annually report the number of students who earn college credit and the number of college semester credit hours transcribed.

HB 3487 King, Susan: Relating to staff development requirements concerning the instruction of students with disabilities in public schools.

Remarks: Teachers teaching students with IEPs must complete a minimum number of hours of staff development every three years. The training must be related to the natures and needs of students with disabilities, methods of providing individualized instruction to and assessing students with disabilities, and behavioral management techniques.

HB 3495 Otto: Relating to the contents of the notice of the meeting at which the governing body of a taxing unit will vote on a proposed ad valorem tax rate that will result in a tax revenue increase.

Remarks: Changes notice requirements for tax hearings. "NOTICE OF VOTE ON TAX RATE" becomes "NOTICE OF TAX REVENUE INCREASE". New wording reads: "The total tax revenue raised last year at last year's tax rate of (insert tax rate for the preceding year) for each \$100 of taxable value was (insert total amount of taxes imposed in the preceding year). The total tax revenue proposed to be raised this year at the proposed tax rate of (insert proposed tax rate) for each \$100 of taxable value, excluding tax revenue to be raised from new property added to the tax roll this year, is (insert amount computed by multiplying proposed tax rate by the difference between current total value and new property value). The total tax revenue proposed to be raised this year at the proposed tax rate of (insert proposed tax rate) for each \$100 of taxable value, including tax revenue to be raised from new property added to the tax roll this year, is (insert amount computed by multiplying proposed tax rate by current total value)."

HB 3557 Zedler: Relating to rules adopted by the State Board of Education regarding the required curriculum of public schools.

Remarks: The State Board of Education by rule shall require that mathematics courses for kindergarten through grade eight efficiently and thoroughly develop automaticity and individual competency in mathematical computation, including competency in addition, subtraction, multiplication, division, and related problem solving skills.

HB 3621 Noriega: Relating to dropout rates in public schools.

Remarks: Redefines which students would be considered as dropouts. Changes reporting methods for students who die or leave a school. Provides a new method for calculating the dropout rate. A student who has obtained a high school

equivalency certificate or who is attending a course of instruction to prepare for the high school equivalency examination is considered as a dropout. Students expelled for serious offenses and for delinquent conduct indicating a need for supervision are considered as dropouts. For a student who dies, the school district shall provide a death certificate. For a student who transfers to another school in this country the school district shall provide a statement signed by the student's parent or guardian confirming that the student has enrolled or will enroll promptly in another school and a transcript or other written evidence of enrollment from the other school in which the student enrolled. For a student who leaves school to reside in another country, the school district shall provide a statement signed by the student's parent or guardian confirming that the student will reside in the other country. And for a student who leaves school to attend a home school, a statement signed by the student's parent or guardian confirming that the student is being educated at home in accordance with applicable law. The high school graduation rate is computed by applying the four year adjusted cohort formula as follows: Graduation rate = $G / (A + B - C)$ where "G" is the number of students in a school year who graduate with a high school diploma not later than the conclusion of the fourth year of enrollment in high school, including any enrollment period available to senior students during the summer following the fourth regular school year, "A" is the number of students who entered the ninth grade at the beginning of the first year of the four-year enrollment period described in "G", "B" is the number of students who subsequently enroll at the same grade level as the students described by "A", and "C" is the number of students in the group of students described by "A" and "B" who die or transfer to another school, school district, or educational program that grants a high school diploma. The electronic audit system must have the capacity to identify irregularities in a district's dropout records, including irregularities based on an excessive number of students identified by the district as leaving school for a specified reason.

HB 3678 Howard, Charlie: Relating to voluntary student-initiated expression of religious viewpoints in public schools.

Remarks: A school district shall treat student expression of religious viewpoints in the same manner as the district treats student expression of secular or other viewpoints, without discrimination. To assure non-discrimination against a student's publicly stated voluntary expression of a religious viewpoint (if any), and to eliminate any actual or perceived affirmative school sponsorship or attribution to the school district of a student's voluntary expression of a religious viewpoint (if any), a school district shall establish a limited public forum for student speakers at school events in which students are to publicly speak. Student expression concerning permissible subjects/topics, as determined by school district policy, may not be excluded on the basis that the subject/topic is expressed from a religious viewpoint. Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Students shall neither be penalized nor rewarded on account of religious content. Such home and classroom work shall be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school. Students may organize prayer groups, religious clubs, and other religious gatherings before, during, and after school to the same extent that students are permitted to organize other non-curricular student activities and groups. A school district shall adopt and implement a local policy regarding the limited public forums and implementation of the other provisions of this Act.

HB 3752 Ortiz: Relating to requirements regarding termination of employment of certain public school district employees.

Remarks: A person who proposes to terminate the employment of a nonprobationary educational support employee must present the employee with written notice that includes a statement of the grounds for the proposed termination and any other material facts related to the proposed termination.

HB 3796 Vaught: Relating to supplemental instruction provided by public school teachers.

Remarks: A district shall provide additional compensation to a classroom teacher who voluntarily, but at the direction of the district, provides supplemental instruction to students before or after the regular school day. The additional compensation must provide an hourly rate of compensation at least equal to the hourly rate received by the classroom teacher through the teacher's regular salary.

HB 3851 Morrison: Relating to the admission of high school and community college transfer students to institutions of higher education.

Remarks: If the commissioner develops a standard method to calculate GPA, a school district shall use the standard method, except to the extent of a conflict between that method and the method adopted by THECB in which case THECB's method shall be used in determining the student's eligibility for university admission under the top ten percent rule.

To ensure a uniform GPA calculation, the THECB shall adopt rules in establishing a standard method for computing a student's high school GPA based on a four-point scale that assigns additional weight, for each honors, AP, international baccalaureate and dual credit courses, which may result in a student having a GPA higher than 4.0.

HB 3865 Garcia: Relating to local awards plans under the public school educator excellence awards program.

Companions: SB 1664 (I)

Remarks: At least 80 percent of the members of the district-level committee with respect to the Excellence Awards Program must be employees subject to the minimum salary schedule.

ENHANCED TECHNOLOGY: Support increasing state funding for technology, including hardware, software, and staff development.

HB 735 Straus: Relating to the discontinuation of the Telecommunications Infrastructure Fund.

Companions: HB 1255 (I) SB 294 (I) HB 1348 HB 1410

Remarks: Would repeal the telecommunications infrastructure fund.

HB 1632 Eissler: Relating to the use of technology by public schools.

Companions: SB 780 (I)

Remarks: Increases \$30 technology allotment to \$200 for each student over 4 year period (\$75 in 2007-08; \$100 in 2008-09; \$140 in 2009-10). A school district's allotment under this section must be used in accordance with the district's long-range technology plan filed with the agency.

FACILITIES: Support legislation that would increase facilities funding, including the Instructional Facilities Allotment (IFA) and Existing Debt Allotment (EDA), as well as legislation that would automatically update the Equalized Debt Allotment each biennium for all bonded debt service not covered by IFA.

SB 70 Lucio:	Relating to the financing of school district instructional facilities and assistance with the payment of a school district's existing debt.
Companion:	HB 3607
Remarks:	Provides for IFA for districts with wealth per ADA less than the statewide average (requires appropriation). Provides for transfer of IFA bonds to EDA. Provides for automatic roll forward of EDA.
SB 389 Shapiro:	Relating to the capacity of the permanent school fund bond guarantee program.
Remarks:	Allows the SBOE to increase the limit for the PSF bond guarantee so long as it is consistent with federal law and regulations and does not prevent guaranteed bonds from receiving the highest available credit rating. Requires the board to reconsider the limitation annually.
SB 1700 Shapiro:	Relating to state assistance with the costs of constructing or renovating public high school science laboratories.
Remarks:	Using funds appropriated for that purpose, the commissioner shall establish a program to provide competitive grants to school districts for the purpose of constructing or renovating high school science laboratories. The rules must limit the amount of assistance provided through a grant. For a construction project, limitation is not more than \$200 per square foot of the science laboratory to be constructed. For a renovation, the limitation is not more than \$100 per square foot of the science laboratory to be renovated. The rule must require a school district to demonstrate as a condition of eligibility for a grant that the existing district science laboratories are inadequate to comply with the curriculum requirements imposed for the recommended and advanced high school programs and must provide for ranking school districts that apply for grants on the basis of wealth per student, giving priority in the award of grants to districts with low wealth per student.
SB 1827 Shapiro:	Relating to the financing of school district instructional facilities
Remarks:	Requires districts to separate instructional and non-instructional facilities on propositions to authorize bonds. Changes the name of the IFA program to the "short term instructional facilities allotment," and debt that qualifies for this program would roll into the EDA program in the next biennium. Phases out the use of lease-purchase agreements. Reduces a districts wealth per ADA by 10 percent for the purposes of ranking districts for short term facilities assistance if the district is using the funds to build science laboratories. Provides for the permanent roll-forward of EDA. Increases the yield on EDA to \$36 (from \$35).
SB 1875 Lucio:	Relating to the financing of school district facilities and tax relief for facilities debt.
Remarks:	Removes \$35 yield for the IFA program and allows commissioner and LBB to determine yield.
HB 1824 Villarreal:	Relating to the guaranteed level of state and local funds under the existing debt allotment for school districts that comply with green building guidelines.
Remarks:	Provides for a higher guaranteed yield (\$37 per ada rather than \$35) in the EDA program for instructional facilities that meet certain green building standards.
HB 1922 Kolkhorst:	Relating to eligibility of school districts for state assistance with payment of existing debt.

Remarks: Rolls forward EDA.

TRANSPORTATION: Support an increase in the funding formula compensating school districts for providing pupil transportation commensurate with the increase in costs since the last legislative adjustment of the formula in 1985.

SB 148 Lucio: Relating to funding for safety or lap belts for school buses owned by a school district.

Remarks: A person may offer to donate safety or lap belts or money for the purchase of safety or lap belts for a school district's school buses. The board of trustees of a school district shall consider any offer made. The board of trustees may accept or decline the offer after adequate consideration. The board of trustees may acknowledge a person who donates safety or lap belts or money for the purchase of safety or lap belts for a school bus under this section by displaying a small, discreet sign on the side or back of the bus recognizing the person who made the donation. The sign may not serve as an advertisement for the person who made the donation.

HB 206 Flores: Relating to state funding for school districts for transportation of students who would be subject to hazardous traffic conditions while walking.

Remarks: Modifies requirements related to the additional transportation allotment for hazardous conditions. Repeals the 10 percent limitation. Requires local boards to provide related policies to commissioner.

HB 207 Flores: Relating to the transportation allotment provided under the public school finance system.

Remarks: Increases the allocation per mile for linear density groups under the transportation allotment by approximately 150% per linear density group.

HB 2229 Swinford: Relating to a supplemental transportation allotment for certain school districts with substantial student travel costs for extracurricular activities.

Remarks: A district that has transportation costs for student participation in University Interscholastic League competitions that exceed the state district average transportation costs for those competitions may receive a supplemental allotment for these costs.

HB 2230 Swinford: Relating to a supplemental transportation allotment for certain school districts with substantial student travel costs for extracurricular activities.

Remarks: A district that has transportation costs for student participation in University Interscholastic League competitions that exceed the state district average transportation costs for those competitions may receive a supplemental allotment from money appropriated for that purpose.

HB 3403 Allen, Alma: Relating to the allotment under the foundation school program for special transportation of students receiving special education services.

Remarks: Phases in increases in special education transportation allotments, by 2013-14, the allocation shall be based on actual cost.

ELIMINATE RECAPTURE ON SUPER PENNIES: Support the elimination of Chapter 41 recapture on any discretionary taxing authority authorized by a vote of the district's voters.

APPRAISAL CAP: Support 5% appraisal cap on residential property contingent on the elimination of Chapter 41 recapture.

SB 347 Patrick, Dan: Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

Remarks: 3 percent appraisal limit on residential homesteads.

SB 348 Patrick, Dan: Relating to the establishment of a 10 percent limit on annual increases in the appraised value for ad valorem tax purposes of certain real property, other than residence homesteads.

Remarks: Applies 10 percent appraisal limit to all real property.

SB 391 Hegar: Relating to the limit on the maximum percentage increase in the appraised value of a residence homestead for ad valorem tax purposes.

Remarks: Limits residence homestead value increases to 10 percent since last appraisal (rather than per year).

SB 575 Nichols: Limitations on increases-residence appraisals

Remarks: 5 percent or less appraisal limit, county court may hold election to set limit.

SB 1099 Patrick, Dan: Relating to a local option election in Harris County to set a limitation of not less than three percent on the maximum average annual increase in the appraised value of residence homesteads ... ad valorem taxation

Remarks: Allows Harris County to set appraisal limit at no less than 3 percent.

HB 61 Leibowitz: Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

Remarks: Lowers 10 percent appraisal limit to 5 percent.

HB 102 Riddle: Relating to a local option election in a county to set a limit of less than 10 percent but not less than three percent on the maximum average annual increase in the appraised value of residence homesteads.

Remarks: The commissioners court of a county may call an election in the county to permit the voters of the county to determine whether a lower percentage limitation on increases in appraised value determined in the manner provided by Subsection (a) (2) using a percentage of less than 10 percent but not less than three percent in place of 10 percent in Subsection (a) (2) (A) will apply to the taxation of residence homesteads in the county by each taxing unit having territory in the county. A limitation adopted under this subsection applies to the taxation of residence homesteads in the county by each taxing unit having territory in the county, except that if a taxing unit has territory in more than one county, the highest percentage limitation on increases in appraised value otherwise applicable in any portion of the territory of the taxing unit applies to the taxation of residence homesteads by the taxing unit throughout that taxing unit's territory.

HB 190 Callegari: Relating to the limitation on the maximum average annual percentage increase in the appraised value of a residence homestead for ad valorem tax purposes.

Remarks: Reduces limitation of appraisal growth on residence homesteads from 10 to 5 percent.

- HB 234 Bohac:** Relating to increasing the maximum amount of the local option residence homestead exemption from ad valorem taxation by a taxing unit from 20 percent to 30 percent.
- Companions:** SB 84 Hinojosa
- Remarks:** Increases the maximum amount of the local option homestead exemption from 20 to 30 percent.
- HB 234 and SB 84 are the enabling legislation for **SJR 6** and **HJR 32**: Proposing a constitutional amendment to increase the maximum amount of the local option residence homestead exemption from ad valorem taxation by a political subdivision from 20 percent to 30 percent.
- HB 438 Hochberg:** Relating to the limitation on the maximum percentage increase in the appraised value of a residence homestead for ad valorem taxation.
- Remarks:** Limits the allowable increase in the appraised value of a residential homestead to 10 percent over the value of the property for the last year in which the property was appraised (eliminates the provision allowing for greater increases for property that had not been appraised in the preceding year).
- HB 483 Herrero:** Relating to increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes to \$45,000.
- Remarks:** Increases \$15,000 homestead exemption to \$45,000.
- HB 476 Vo:** Relating to limiting the maximum average annual increase in the appraised value of real property for ad valorem tax purposes to 10 percent.
- Remarks:** 10 percent appraisal limit applies to all real property.
- HB 696 Bohac:** Relating to the limitation on the maximum average annual percentage increase in the appraised value of residence homesteads for ad valorem tax purposes.
- Remarks:** 5 percent appraisal limit.
- HB 697 Bohac:** Relating to an exemption from ad valorem taxation of a portion of the appraised value of a residence homestead based on the average appraised value of all qualified residence homesteads located in the same county.
- Remarks:** In addition to any other exemptions, an individual is entitled to an exemption from taxation by a taxing unit of a portion of the appraised value of the individual's residence homestead in an amount equal to 10 percent, or a greater percentage not to exceed 25 percent specified by the governing body of the taxing unit before July 1 in the manner appraised value in the current tax year of all residence homesteads that are located in the same county as the individual's homestead and that qualify for an exemption under this section. The chief appraiser shall determine the average appraised value of those residence homesteads according to the appraisal records as of August 1.
- HB 870 Bohac:** Relating to increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes to \$25,000, adjusting the limitation on the total amount of ad valorem taxes that may be imposed.
- Remarks:** Increases the homestead exemption from \$15,000 to \$25,000, only \$5,000, not \$10,000, applies to entity operating under former Chapter 17, 18, 25, 26, 27, or 28 of Education Code.

- HB 881 Howard, C:** Relating to the limitation on the maximum average percentage increase in the appraised value of a residence homestead for ad valorem tax purposes.
- Remarks: Three percent appraisal limit.
- HB1080 Leibowitz:** Relating to increasing the amount of the residence homestead exemption from ad valorem taxation by a school district to \$45,000, providing for a reduction of the limitation on the total amount imposed on elderly or disabled.
- Remarks: Increases homestead exemption from \$15,000 to \$45,000.
- HB 1494 Bonnen:** Relating to calculation of the ad valorem taxes on the residence homestead of an elderly or disabled person.
- Remarks: Allows individual to qualify for 65 and older exemption if individual owned property at any point during year.
- HB 3149 Bohac:** Relating to the authority of the governing body of a taxing unit that imposes ad valorem taxes on real property in Harris County ... to establish a limitation of not less than 5% on the maximum average annual increase in the appraised value... .

Note: Several **SJR's** and **HJR's** relating to establishing for purposes of ad valorem taxation a limit on the maximum average annual percentage increase in the appraised value of residence homesteads have been introduced.

RETIREES: Support elimination of TRS penalties for school districts that hire retired educators.

- HB 94 Martinez:** Relating to employer contributions for certain employed retirees under the Teacher Retirement System.
- Remarks: Relates to costs associated with retire-rehire arrangements. Allows districts to avoid paying the current contribution amount that would be contributed by the retiree if the retiree were an active member and the current contribution amount that the state would contribute for that retiree if the retiree were an active member if the retiree is a classroom teacher or full time librarian, counselor, or nurse and was retired for at least three years as of the first day of the payroll period.
- HB 571 Gonzales:** Relating to retirement benefits for certain teachers.
- Remarks: The system may not withhold a monthly benefit payment due to resumption of services if the person retired before January 1, 2007 and is employed by a school district or an open-enrollment charter school and is not an employee of a third-party entity.
- HB 830 Zedler:** Relating to monthly benefits for certain retirees of the Teacher Retirement System of Texas who return to work as registered nurses.
- Remarks: Prohibits TRS from withholding a monthly benefit payment if the retiree is employed in a Texas public educational institution or in a health care facility associated with a Texas public educational institution as a registered nurse to fill a critical need.
- HB 980 Zedler:** Relating to monthly benefits for certain retirees of the Teacher Retirement System of Texas who return to work as registered nurses.
- Remarks: The retirement system may not, under Section 824.601, withhold a monthly benefit payment if the retiree is employed in a Texas public educational

institution or in a health care facility associated with a Texas public educational institution as a registered nurse to fill a critical need.

HB 1685 McClendon: Relating to exemptions from employer contributions for certain employed retirees under the Teacher Retirement System of Texas.

HB 2046 Phillips: Relating to monthly benefits for certain retirees of the Teacher Retirement System of Texas who return to work.

Remarks: Allows retirees who are continuing to work and are receiving benefits based on an exemption for retirees who work not more than 6 months of the year to continue to receive benefits if they work in an additional month so long as the work they agreed to complete cannot be completed by the end of the sixth month and they do not work beyond the 15th day of the month immediately following the sixth month. Time spent attending professional development does not count toward the six month limitation.

HB 2473 Homer: Relating to monthly benefits for certain retirees of the Teacher Retirement System of Texas who return to work.

Remarks: Allows retirees who are continuing to work and are receiving benefits based on an exemption for retirees who work not more than 6 months of the year to continue to receive benefits if they work in an additional month so long as the work they agreed to complete cannot be completed by the end of the sixth month and they do not work beyond the 15th day of the month immediately following the sixth month. Time spent attending professional development does not count toward the six month limitation.

HB 3014 Martinez: Relating to employer and retiree contributions for certain employed retirees under the Teacher Retirement System of Texas.

Remarks: Each retiree shall contribute to the retirement system an amount based on the retiree's salary equal to the current contribution amount that would be contributed by the retiree if the retiree were an active, contributing member.

PUBLICATION OF DISTRICT CHECK REGISTER: Support increased transparency and accountability by requiring school districts to publish their check register on the district's website.

SB 1225 Jackson, Mike: Relating to publication of the annual financial statement by a school district.

Companions: HB 978 (I)

Remarks: A statement shall be published not later than two months after the date the fiscal year ends, except that a school district's statement shall be published not later than the 150th day after the date the fiscal year ends and in accordance with the accounting method required by the Texas Education Agency.

HB 2560 Zedler: Relating to the posting of school district check registers.

Remarks: A school district shall maintain the transaction register for the district's checking account in an electronic spreadsheet format in which the transaction register is readily available. The electronic checking account transaction register must include for each check written from a district checking account: 1) the transaction amount; 2) the check number; 3) the name of the person to whom the check was written; 4) the purpose of the expenditure for which the check was written; and 5) the function code assigned to the expenditure for the purpose of meeting state reporting requirements. A school district shall prominently post the electronic checking account transaction register at all times

on the district's website for downloading by interested parties. A school district shall transfer data from the electronic checking account transaction register to any interested person who requests the data orally or in writing. A school district shall update the electronic checking account transaction register at least once each month.

ADEQUACY: Support adequacy in funding so that all school districts have financial resources that will provide an excellent education to all students.

HB 828 Hochberg: Relating to the guaranteed yield of school district enrichment taxes to fund the maintenance and operations of public schools.

Remarks: The Austin Yield is not allowed to decrease. The higher of the LBB determined yield or the amount of district tax revenue per weighted student per cent of tax effort used for this calculation.

HB 3864 Branch: Relating to the legislature's obligation to provide state funding for the public education system.

Remarks: State shall provide at least 55 percent of funding for education.

HIGH SCHOOL ALLOTMENT: Support increase in high school allotment funding to meet increases in the combination of growth and inflation.

HB 2844 Herrero: Relating to use of weighted average daily attendance in computing the high school allotment under the Foundation School Program.

Remarks: High school allotment (\$275) based on WADA not ADA.

HURRICANE RELIEF FUNDING: Support continued funding directly to school districts that accepted students in 2005-2006 due to Hurricanes Katrina and Rita.

TRS COST OF LIVING INCREASE: Support a cost of living adjustment for retired public education employees.

SB 425 Carona Relating to the state contribution to the Teacher Retirement System.

Companions: HB 1105 (I)

Remarks: Increases annuity by four percent. Requires state to contribute at least 7% to fund, but not more than 10%.

SB 475 Uresti Relating to the computation and payment of certain benefits, including supplemental payments of a retirement or death benefit, by the Teacher Retirement System.

Remarks: Restores the calculation of the annuity based on the members average annual compensation for the highest three (rather than 5) years of service. Provides for a thirteenth check in 2008 and 2009.

SB 492 Lucio Relating to a cost of living increase applicable to benefits paid by the Teacher Retirement System of Texas.

Companions: HB 1259 (I)

Remarks: The amount of a monthly service retirement benefit, disability retirement benefit, or death benefit is increased to include a five percent cost-of-living adjustment in. The board of trustees shall recompute the amount of a benefit

paid monthly under this chapter by applying the five percent adjustment to the monthly amount otherwise required to be paid.

SB 1745 Eltife: Relating to monthly benefits for certain retirees of the Teacher Retirement System who return to work.

Companions: HB 2880 (I) SB 1039

Remarks: The exception for return to work retired employees continues to apply to work performed by a retiree in June of a school year if: (1) the work the retiree agreed to complete under the contract or work agreement cannot be completed by May 31; and (2) the retiree does not work beyond June 15 of that year.

SB 1846 Duncan: Relating to funding for, and benefits provided under, the Teacher Retirement System.

Remarks: TRS Pension Fund The rate of contribution for each member may not be more than 6.6 percent. The amount of the state contribution may not be less than the amount contributed by members. An employer contribution rate shall be between .25 and .75 percent (made in 12 monthly payments). Benefit increase to TRS members may only be authorized under General Appropriations Act. The retirement system shall deposit into state contribution account contributions collected by employers from federal or private sources and collected by general academic teacher institutions. This bill also gives an annual salary supplement based on years of service and age. No less than 80 is \$1,000 to at least 95 is \$4,000.

HB 286 Herrero: Relating to social security coverage for employees of public school districts.

Remarks: Not later than December 31, 2007 each school district (not currently a social security district) shall conduct referendum by secret ballot to determine whether employees are in favor of being included in social security.

HB 419 McClendon: Relating to divestment by the Employees Retirement System and the Teacher Retirement System of certain investments related to the Republic of Sudan.

Remarks: Prohibits TRS and ERS from investing in certain companies doing business in Sudan.

HB 468 Phillips: Relating to supplemental payments of a retirement or death benefit by the Teacher Retirement System of Texas; making an appropriation.

Remarks: Allows for two supplemental payments in January 2008 and January 2009 equal to the lesser of \$1,600 or the gross amount of the regular annuity payment which the eligible annuitant is entitled for the month of December 2007 and 2008.

HB 469 Phillips: Relating to computation of the standard service annuity under the Teacher Retirement System of Texas.

Remarks: Returns calculation of highest annual compensation to three years, instead of five as passed in last session.

HB 592 Escobar: Relating to the amounts to be appropriated for the state contribution to the teacher retirement program for fiscal years 2008 and 2009.

Remarks: The amount of \$1,289,584,990 is appropriated out of the general revenue fund to the Teacher Retirement System of Texas for the fiscal year ending August 31, 2008, for the purpose of making the state contribution to the teacher retirement system pension fund for public education employees and maintaining the

actuarial soundness of the system, with a funding period under 30.9 years. The appropriated amount is an estimate.

HB 1105 McClendon: Relating to the state contribution to the Teacher Retirement System of Texas, including an adjustment to the standard service retirement annuity.

Companions: SB 425 (I)

Remarks: The amount of a standard service retirement annuity is increased by four percent of the amount otherwise required to be paid.

HB 1259 Martinez: Relating to a cost of living increase applicable to benefits paid by the Teacher Retirement System.

Companions: SB 492 (I)

Remarks: The amount of a monthly service retirement benefit, disability retirement benefit, or death benefit paid under this chapter is increased to include a five percent cost-of-living adjustment.

HB 1395 Guillen: Teacher Retirement System

Remarks: Increases state's contribution from 6 to 6.4%.

HB 1444 Guillen Benefits paid by Teacher Retirement System TX

Remarks: The amount of a monthly service retirement benefit, disability retirement benefit, or death benefit paid under this chapter is increased to include a three percent adjustment in accordance with his section.

HB 1713 Allen, Alma: Relating to benefits paid by the Teacher Retirement System.

Remarks: The amount of a monthly service retirement benefit, disability retirement benefit, or death benefit paid is increased to include a 10 percent adjustment.

TEACHERS

MATH AND SCIENCE TEACHER ACCREDITATION: Support state funding of incentive bonuses and higher compensation to attract teachers in high need areas, including math and science.

SB 1018 West, Royce: Relating to establishment of a pilot program to improve mathematics instruction in public schools.

Remarks: The commissioner shall establish a pilot program under which participating school districts and campuses receive assistance in developing the instructional expertise of teachers who instruct students in mathematics at the middle school, junior high school, or high school level.

PERFORMANCE INCENTIVES: Support implementation of locally developed financial incentives to reward campuses that have demonstrated high levels of student academic growth, significantly closed performance gaps in the core curriculum, and performed at the highest standards established by the state.

HB 2399 Delisi: Relating to teacher retention demonstration projects in public schools.

Remarks: The commissioner may provide grants to school districts to design and implement teacher retention demonstration projects that employ innovative, research-based practices to identify and retain highly effective teachers.

STUDENT EDUCATION

~~PARENT, STUDENT, TEACHER AGREEMENTS~~: Support the implementation of a locally developed written agreement form to be signed by the student's parent, teacher(s), and the student that will define the responsibilities of the student's parent, teacher(s) and the student.

- SB 217 Shapiro:** Relating to the penalty for a parent who fails to require a child to attend school.
- Remarks: If a parent has previously been convicted at least twice for contributing to nonattendance, the attendance officer or other school official shall file a complaint against the parent in the constitutional or statutory county court of the county in which the parent resides or in which the school is located and the offence becomes a Class B (rather than Class C) misdemeanor.
- HB 380 Allen, Alma:** Relating to an educational involvement agreement setting forth the respective responsibilities of students, parents, teachers and principals in public schools.
- Remarks: The agency shall adopt an educational involvement agreement form for use by school districts to be signed by a student, the student's parent, each of the student's teachers, and the principal of the student's school. The agreement must state the respective responsibilities of the student, parent, teacher, and principal.
- HB 557 Smith, Wayne:** Relating to the failure of a parent to attend a public school parent-teacher conference.
- Remarks: Provides for a Class C misdemeanor for parents that receive written notice by certified mail of at least three proposed dates from which the parent can choose for scheduling a parent-teacher conference and fails to respond to the notice. The parent also commits an offence if he/she schedules a parent-teacher conference on one of the dates proposed in the notice or on a mutually agreed upon alternative date and fails to attend the scheduled conference or notify the teacher or an administrator that a parent will be unable to attend the conference. It is an affirmative defense to prosecution under this section that the parent had a reasonable excuse for failing to attend the parent-teacher conference. The clerk of the court in which an offense under this section is prosecuted shall transfer the proceeds of any fine collected by the court under this section to the school district. The district may use funds collected under this section only to provide additional compensation to classroom teachers in the district or purchase school supplies other than textbooks.
- HB 607 Madden:** Relating to the penalty for a parent who fails to require a child to attend school.
- Remarks: If the parent has previously been convicted under this section at least twice, the attendance officer or other appropriate school official shall file a complaint against the parent in the constitutional or statutory county court of the county in which the parent resides or in which the school is located.
- HB 1024 Bohac:** Relating to an agreement setting forth the respective responsibilities of a parent, student and classroom teacher in a public school.
- Remarks: Each school district shall adopt a written agreement form for each grade level setting forth the responsibilities of a student's parent as well as the respective responsibilities of the student and each of the student's classroom teachers. The parent, student, and each of the student's classroom teachers shall sign the appropriate agreement at the beginning of each school year.

KATRINA EVACUEES: For 2006-2007, separate grouping for accountability and measure by year-over-year growth.

SCHOLARSHIPS: Support state funded scholarships for students who continue their education beyond high school.

- SB 1242 Averitt:** Relating to tuition exemptions granted by public institutions of higher education to students who have served in certain school district tutoring programs.
- Remarks: A school district may establish a student tutor program in which a district student in grade nine or above may tutor another student from the same district.
- SB 1488 Patrick, Dan:** Relating to an undergraduate scholarship program for students who agree to teach in public schools in this state that have teacher shortages.
- Remarks: The board shall establish and administer a program to award scholarships to undergraduate students who are enrolled in educator preparation programs provided by public or private institutions of higher education in this state and agree to teach for a specified period in public schools determined by the Texas Education Agency to have shortages of teachers. The amount of a scholarship for an academic year is equal to the lesser of the total amount of tuition or \$5,000. 1,000 scholarships will be awarded for 2008-09, 2,000 for 2009-10, and 3,000 for 2010-2011.
- HB 209 Flores:** Relating to eligibility for an award through the Early High School Graduation Scholarship program.
- Companions: SB 240 (I)
- Remarks: Allows qualifying migratory children to be eligible for early graduation scholarship in spite of not having attended a high school exclusively in Texas.
- HB 1378 Smith, Todd:** Undergraduate education scholarship program
- Remarks: The SBOE shall establish and administer a program to award scholarships to undergraduate students who are enrolled in educator preparation programs at public or private institutions of higher education in this state and who agree to teach mathematics or science courses in public schools in this state for a specified period after graduation.
- HB 2383 Lucio:** Relating to the provision to certain public school students of a subsidy to pay the costs of a trade or occupation certification examination.
- Remarks: A student is allowed a subsidy for certification examination if the student successfully completes the career and technology program, passes a certification examination to qualify for a license, or demonstrate financial need.
- HB2413 King, Tracy:** Relating to student loan repayment assistance for speech-language pathologists employed by a public school.
- Companions: SB 1276 (I) HB 3002
- Remarks: The SBOE shall provide assistance in the repayment of student loans for speech-language pathologists, not to exceed 20 percent of the total principal amount of those loans. To be eligible to receive repayment assistance, a speech-language pathologist must apply to SBOE and have been employed as a speech-language pathologist for at least one year and be currently employed fulltime by, a public school at the time of application. The individual may receive repayment assistance grants for each year of employment by a public school, not to exceed

five years. SBOE may provide repayment assistance through any lender. SBOE may accept gifts, grants, and donations for the purposes of this subchapter.

COMMUNITY

GOVERNMENT ASSISTED HOUSING: Require property owner to provide 180 days notice to all addresses in a 3 mile radius surrounding any property that the owner is requesting to become government assisted housing.

CONSTRUCTION RESIDENTIAL IMPACT FEES: Support legislation that would amend the Texas Government Code to authorize school districts to impose construction residential impact fees on residential developers.

SB 638 Van de Putte: School district charging impact fee

Remarks: A school district may impose an impact fee for capital improvements only.

SB 786 Wentworth: Relating to the mitigation of the impact of residential development in public school districts.

Remarks: A district is entitled to assess an impact fee against the developer in an amount computed using the formula adopted by the commissioner.

SB 883 Deuell: Relating to the imposition of impact fees on the property of a school district.

Companions: HB 2038 (I)

Remarks: A school district is not required to pay impact fees unless the board of trustees of the district consents to the payment of the fees by entering a contract with the political subdivision that imposes the fees. The contract may contain terms the board of trustees considers advisable to provide for the payment of the fees.

HB 1876 Villarreal: Relating to allowing a school district to charge an impact fee for certain capital improvements.

Remarks: A school district may impose an impact fee on capital improvements.

HB 2323 Goolsby: Relating to imposing a civil penalty on a political subdivision that spends the proceeds of an impact fee for a purpose other than the purpose for which the fee was imposed.

Remarks: Imposes a fine for the violation of use of certain impact fees.

HB 2916 Kuempel: Relating to the mitigation of the impact of residential development in public school districts.

Companions: SB 786 (I)

Remarks: If the commissioner determines that a residential development containing 1,000 or more single-family housing units is likely to significantly increase elementary school student enrollment in a school district, the district is entitled to, assess an impact fee against the developer in an amount adopted by the commissioner or, purchase, for fair market value, a percentage of the real property acreage that is at least 15 acres of land within the residential development site. A school district may use land obtained under this law only as a location for elementary school facilities.