

Meaningful Public Education Policy for Texas

House Bill 5

SMSD School Board Meeting



January 13, 2014

MEANINGFUL PUBLIC EDUCATION POLICY FOR TEXAS

HOUSE BILL 5

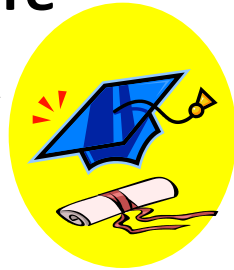
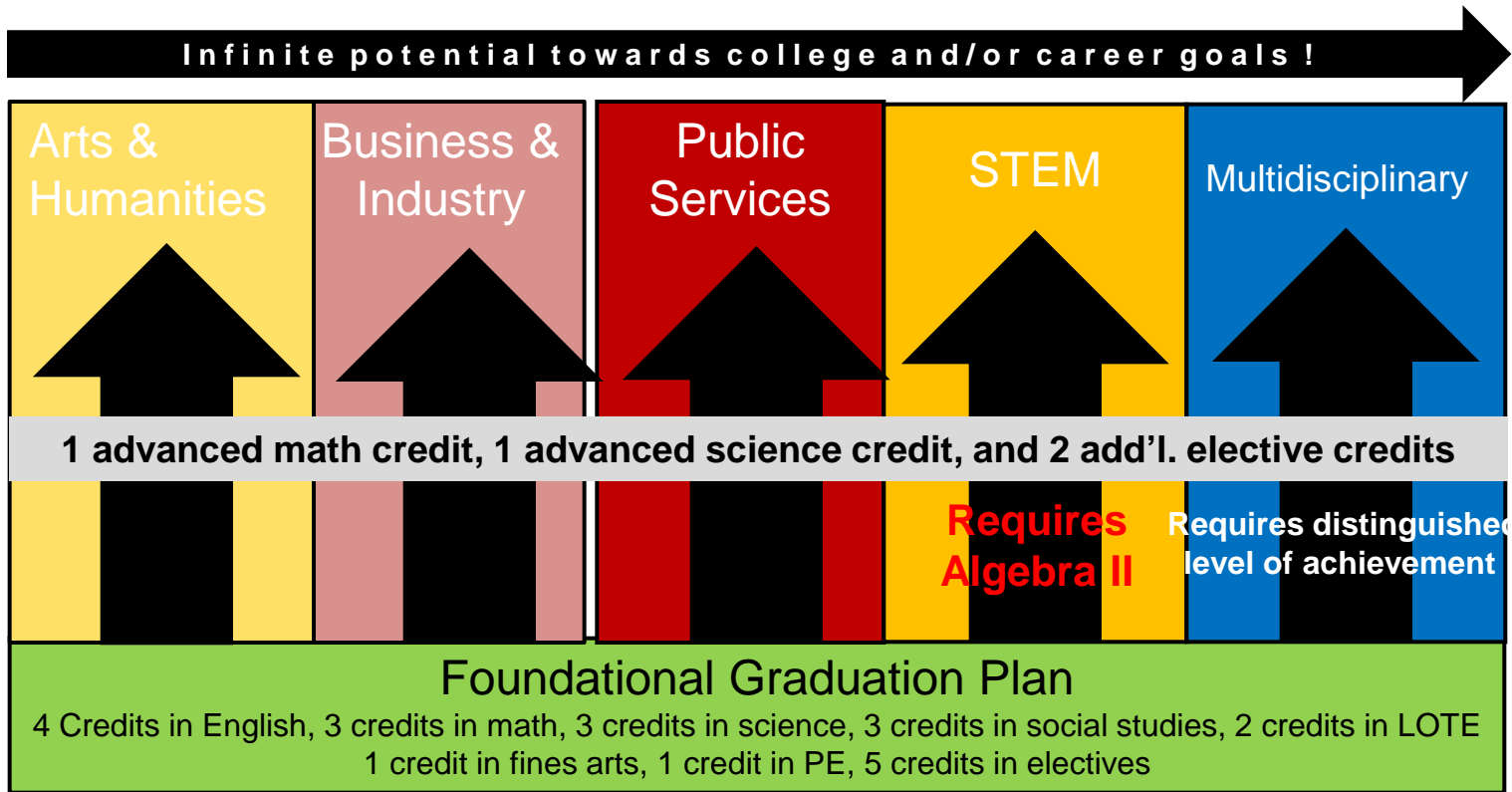


- Reduced the number of high stakes, state mandated tests required for graduation from 15 to 5
- Established course flexibility for 1) required courses and 2) flexible but meaningful elective course offerings
- Created legitimate standards and opportunities for diverse courses of study based upon interests, strengths, and local/state economic needs

Graduation Plans



All plans require a solid Foundation and lead to a bright future



Plans of Study by Endorsements



Endorsements				
Arts & Humanities	Business & Industry	Public Services	STEM	Multidisciplinary Studies
Fine Arts (Art)	Marketing (Business)	Education & Training	Engineering	Select courses from the curriculum of each of the other endorsement areas; credits from multiple content areas sufficient to complete the distinguished level of achievement under the foundation program
Fine Arts (Theatre)	Business Management (Business)	Health Science & Medicine	Technology	
Fine Arts (Music)	Information Technology (Business)	Hospitality & Tourism	Science	
English Literature	Graphic Design (Industry)	Law Enforcement	Mathematics	
World Languages	Communications (Industry)	Military Science	Upper Division Science	
History	Agricultural Science (Industry)		Upper Division Mathematics	
	Welding (Industry)			
	Transportation (Industry)			

House Bill 5 Summary

Below is a summary of House Bill 5 that was signed by Governor Perry.

House Bill 5

Representative Aycock/Senator Patrick Graduation, Assessment, and Accountability

Graduation

- Creates one diploma that affords all students a variety of postsecondary education and workforce opportunities. Students may earn an endorsement in one of five areas:
 - Business & Industry
 - Arts & Humanities
 - STEM
 - Public Services
 - Multi-Disciplinary Services
- Creates a distinguished level of performance. To earn the distinguished level, students must complete an endorsement, Algebra II, and a scale score on an AP test, 18 exam, SAT, ACT, or another nationally recognized assessment.
- Requires districts to work with students on a personal graduation plan
- Expands course options and directs SBOE to approve additional career and technology courses to satisfy core academic credit.
- Enables districts to partner with higher education and industry to develop rigorous courses at the local level to address the workforce needs in the community.
- Directs districts to partner with higher education to provide developmental education courses the senior year in math and English for college—bound students who do not demonstrate college readiness at the end of grade 11.
- Allows students completing the distinguished performance eligibility for top 10% automatic admission.
- Allows all students eligibility for TX Grant and other financial aid.
- Allows all students to apply” for admission to a four-year state university.

- Sets effective date as 2014-2015 academic year, with a district option for students to graduate under the new graduation requirements in 2013 if applicable.

Assessments

- Reduces assessments for graduation from 15 to 5:
 - English I
 - English II
 - Algebra
 - Biology
 - U.S. History
- Requires the English assessments to be a combined reading and writing assessment, given on one day for one score.
- Allows districts the option of testing students in English III and Algebra II, but prohibits the use of scores for accountability or graduation.
- Eliminates the 15% grade and cumulative score requirements.
- Provides for annual release of STAAR assessments.
- Sets effective date as 2013-2014 academic year, with commissioner discretion to provide waivers for students in transition years.

Accountability

- Establishes an A-F rating system for districts, while maintaining current ratings for campuses

HB 5

Aycock

Accountability, Assessment, and Curriculum Requirements

Due to the dense content of HB 5, the following summary is organized into four broad categories: (1) curriculum, (2) assessment, (3) accountability, and (4) higher education. There are subsections under each of the four categories. There is also a broad spectrum of effective dates for different provisions of the bill that are noted as specified in the bill. Otherwise, the general effective date for the bill is immediate.

CURRICULUM

Foundation School Program

Replaces the Recommended High School Program (RHSP), Minimum High School Program (MHSP), and Distinguished Achievement Program (DAP) with one 22-credit foundation school program. Requires the SBOE to adopt rules that require:

- 4 credits in English language arts (English I, II, III, and an advanced ELA)
- 3 credits in math (Algebra I, geometry, and an advanced math credit)
- 3 credits in science (Biology, IPC or an advanced science credit, and another advanced science credit)
- 3 credits in social studies (U.S. History, .5 economics, .5 government, and either world history or world geography, or a new course combining world history and world geography)
- 2 credits in languages other than English (computer programming languages may substitute per SBOE rule, and other flexibility for 2nd LOTE credit for students who due to disability are unlikely to complete two courses in the same language)
- 1 credit in fine arts (can be community-based program with appropriate TEKS coverage)
- 1 credit in P.E. (including approved off-campus programs)
- 5 credits in electives (may include CTE or certification courses)

Requires all districts to make available to each high school student in the district an Algebra II course beginning with the 2014–2015 school year.

Mandates the SBOE to adopt rules and approve a variety of advanced courses that can be taken to comply with the foundation program requirements, provided that each approved course prepare students to enter the workforce successfully or postsecondary education without remediation. Applies rules to SBOE-approved advanced courses and those courses developed through community partnerships. Permits advanced courses to be offered in an applied manner.

Allows a student with disabilities to substitute a P.E. course credit for an academic course credit.

Mandates the SBOE adopt rules that allow foundation program credits be satisfied by successful completion of a dual credit course.

Requires the SBOE to adopt rules that allow a student to complete a *new* combined world history and world geography course to satisfy the social studies requirement for the foundation program.

Requires the SBOE to adopt rules that allow elective credit requirements to be met by successful completion of advanced CTE courses, including those that lead to a certification or an associate degree.

Requires the TEA commissioner to adopt a transition plan by rule replacing the MHSP, RHSP, and DAP with the foundation high school program *beginning with the 2014–2015 school year*. Allows a student who entered grade nine *before* the 2014–2015 school year to graduate under the foundation program or remain under current one. Expires the transition plan September 1, 2018.

Mandates that the commissioner by rule allow a student who is completing the fourth year of high school during the 2013–2014 school year and who does not satisfy the curriculum requirements of the student’s current graduation program to graduate if the student satisfies the requirements for the foundation program. Expires this provision on September 1, 2015.

Endorsements

Requires a district to ensure that each student entering grade nine indicate in writing an endorsement choice. Mandates that the district allow a student to choose, at any time, to earn an endorsement other than the one previously selected.

Mandates that a student be allowed to graduate under the foundation program *only after the student’s sophomore year* under certain circumstances. Defines the circumstances that permit a student to graduate under the foundation program after the student’s sophomore year *without earning an endorsement* only if (1) the student and parent or guardian is advised of the benefits of graduating with one or more endorsements, and (2) the parent or guardian files written permission with the school counselor.

Requires the SBOE to adopt rules that permit a student to enroll in courses under more than one endorsement curriculum before the student’s junior year.

Establishes endorsements in five categories:

- (1) STEM
- (2) Business and Industry
- (3) Public Services
- (4) Arts and Humanities
- (5) Multidisciplinary

Mandates the SBOE adopt rules requiring a student to earn any endorsement by successfully completing a total of 26 credits that include four math credits; four science credits; and two additional elective credits. Requires the SBOE to develop additional curriculum requirements for each endorsement with the direct participation of educators, business, labor, and industry representatives.

Includes an “opt-in” option for a student participating in the arts and humanities endorsement to substitute the advanced science requirement with another course related to the endorsement. Directs the SBOE to adopt criteria. Mandates the student’s parent or guardian give written permission.

Requires that districts report to TEA the categories of endorsement(s) for which the district offers all courses needed for the particular endorsement(s). Mandates each district to make available courses needed for *at least* one endorsement, and if only one endorsement curriculum is offered it be the multidisciplinary endorsement.

Provides that an endorsement earned is noted on the student’s diploma and transcript.

Applies beginning with the 2014–2015 school year.

Performance Acknowledgement

Allows a student to earn a “performance acknowledgement” that is placed on the student’s diploma and transcript. Directs the SBOE to adopt requirements by rule that a performance acknowledgement can be earned for (1) outstanding performance in a dual credit course, in bilingualism and biliteracy, on a college AP test or IB exam; or on the PSAT, the ACT-Plan, the SAT, or the ACT; or (2) for earning a nationally or internationally recognized business or industry certification or license.

Applies beginning with the 2014–2015 school year.

Distinguished Level of Achievement

Provides that a student who has completed the core curriculum of an institution of higher education has earned a “distinguished level of achievement.” Permits a student who has

earned the distinguished level to apply for admission to an institution of higher education for the first semester or other academic term after the student completes the core curriculum.

Mandates that a student earn the distinguished level by successfully completing 26 credits consisting of the foundation program requirements, plus Algebra II as one of four math credits; credits for *at least* one endorsement, and a fourth science credit (advanced).

Allows additional credits earned for the distinguished level to be used to satisfy elective credit requirements.

Adds to the eligibility criteria for a science lab grant that a district must demonstrate that the current science labs are insufficient to meet the distinguished level of achievement under the foundation program.

Considers a student who receives a diploma through the early college high school pilot program to have earned the distinguished achievement level under the foundation program and allows a student to apply for admission to an institution of higher education the semester after the student earns the diploma.

Districts must consider the percentage of students pursuing the distinguished level of achievement when planning to increase higher education enrollment rates.

Applies beginning with the 2014–2015 school year.

PEIMS Reports on Graduation Programs

Requires districts to report at the end of each school year the number of students who, during that school year, were (1) enrolled in the foundation high school program, (2) pursuing the distinguished level of achievement, and (3) enrolled in a program to earn an endorsement.

Mandates that the information be disaggregated by all of the student groups the district serves.

Applies beginning with the 2014–2015 school year.

Applied STEM Courses

Adds technology applications to a district's allowable applied STEM courses, in addition to approved CTE courses. Mandates that applied STEM courses may only substitute for a science course after successful completion of biology (removes chemistry and physics prerequisites).

Applies beginning with the 2014–2015 school year.

Career and Technology Education Courses Developed through Local Partnerships

Introduces a new career and technology education (CTE) course development option. Allows a district to offer a course or other activity needed to obtain an industry-recognized credential or certificate that is approved by the local school board for credit *without obtaining SBOE approval* under certain circumstances. Requires that the courses or activities be developed by the district *in partnership* with a public or private institution of higher education and local business, labor, and community leaders.

Requires the courses or activities to allow students to enter a career and technology training program in the district's region of the state; an institution of higher education without remediation; an apprenticeship training program; or an internship required as part of accreditation toward an industry-recognized credential or certificate. Mandates that a district report such local course offerings to the TEA on an annual basis, and that TEA makes the information available to other districts.

Applies beginning with the 2014–2015 school year.

District Responsibilities for CTE Courses

Requires a district to encourage to the greatest extent possible that students in CTE programs enroll in dual credit courses that lead to a degree, license, or certification.

SBOE Responsibilities for CTE Courses

Requires the SBOE to ensure that at least 50 percent of the CTE courses they approve are cost-effective for districts.

Requires the SBOE not later than September 1, 2014 to ensure that at least six advanced CTE or technology applications courses, including personal financial literacy, are approved to satisfy a fourth credit in math. Requires the TEA commissioner not later than January 1, 2015 to report to the Governor and others the progress made towards approving new courses.

Applies beginning with the 2014–2015 school year.

Subsidy for CTE Certification Exam

Changes subsidy provisions by requiring a district to pay for the cost and then seek reimbursement from the commissioner (versus the student paying the cost). Removes requirement that certifications must be in high-demand, high-wage, high-skill occupations.

Applies beginning with the 2013–2014 school year.

Career and Technology Consortium

Calls for the commissioner to investigate options for joining a career and technology consortium for the purpose of developing sequences of rigorous CTE courses in areas of high-demand, high-wage careers.

College Preparatory Courses

Removes responsibility of the development of college preparatory courses from the TEA and higher education commissioners. Assigns responsibility of college preparatory courses to districts that *must partner* with at least one institution of higher education to develop and provide college preparatory courses in English language arts and math. Requires that the courses be designed for grade 12 students whose performance on an EOC exam does not meet college readiness standards; or coursework, college entrance exam, or higher education screener (e.g., Accuplacer) indicates the student is not ready for college-ready coursework.

Requires the courses developed be provided on the campus of the high school offering the course, or through distance learning or an online course provided through an institution of higher education with which the district has partnered. Mandates that high school and higher education faculty collaborate to ensure the courses are aligned with college readiness expectations.

Mandates that each district provide notice to district students and their parents or guardians regarding the benefits of enrolling in such a course.

Provides that a student who successfully completes an English language arts (ELA) course can use the credit to satisfy the *advanced* ELA credit requirement for the foundation school program, and a student who successfully completes a math course can use the credit to satisfy the *advanced* math credit requirement for the foundation school program.

Allows the college preparatory course to be offered for dual credit at the discretion of the higher education institution.

Requires each district in consultation with their higher education partner to develop or purchase instructional materials for the course, including technology resources using to the extent practical materials already developed. Allows the district's Instructional Materials Allotment (IMA) to be used in purchasing the materials and the commissioner to adopt rules regarding this use of the IMA. Requires the course and corresponding materials be available to students not later than the 2014–2015 school year.

Applies beginning with the 2013–2014 school year.

Junior High or Middle School Personal Graduation Plan

Designates this section to apply only to personal graduation plans (PGP) for a middle or junior high school student who has failed a state test or who is not likely to graduate by the fifth year following ninth grade.

Applies beginning with the 2014–2015 school year.

NEW High School Personal Graduation Plan

Creates a new PGP specifically for high school students. Requires the TEA, in consultation with the Texas Workforce Commission and the Texas Higher Education Coordinating Board, to prepare and make available in English and Spanish information that explains the advantages of the distinguished level of performance and each endorsement option. Requires that the information note that *one or more endorsements enable a student to achieve a class rank in the top 10 percent*. Mandates that a district publish this information on the district website and ensure that it is available to students in grades nine and above. Requires a district to provide information in the language in which the parents or legal guardians are more proficient only if at least 20 students in a grade level primarily speak that language.

Mandates that the principal of a high school designate a counselor or administrator to review PGP options, including the endorsements and distinguished level of achievement, with *each* student entering grade nine together with the student's parent or guardian who must confirm and sign a PGP for the student by the end of the school year. Outlines certain requirements that a PGP must promote. Prohibits a district from preventing a student from pursuing the distinguished level of achievement or an endorsement. Permits a student to amend the PGP and requires a district to send written notice to the student's parent or guardian if the plan is amended.

Adds high school PGPs to information that must be made available through the electronic student record system. Adds that a charter holder should consider including high school PGPs as a requirement in the school's charter. Adds development of a high school PGP as a consideration for innovate grants.

Applies beginning with the 2014–2015 school year.

Minimum Attendance for Class Credit or Final Grade

Mandates that a student in any grade level from kindergarten to grade 12 may not be given class credit or a final course grade unless the student is in attendance for at least 90 percent of the time the class is offered.

Applies beginning with the 2013–2014 school year.

Counseling Regarding Postsecondary Education

Requires each school counselor at an elementary, middle, or junior high school to advise students and parents of the importance of postsecondary education. During the first year of enrollment in high school, and each year thereafter, a school counselor must provide information related to the importance of a postsecondary education and the advantages of earning an endorsement, a performance acknowledgement, and a distinguished level of achievement.

Applies beginning with the 2014–2015 school year.

Notice of Requirements for Automatic Admission

Requires each school board and open-enrollment charter school to provide notice of requirements for automatic admissions to an institution of higher education and eligibility for financial aid at the time the student first registers for classes required for high school graduation. Requires additional written notice to juniors who are in the top 10 percent and seniors meeting automatic admissions criteria. Mandates the student’s counselor, the student, and the student’s parent or guardian sign the written notice.

Applies beginning with the 2014–2015 school year.

NEW Instructional Materials Allotment Procedures

Requires the commissioner to notify districts and open-enrollment charters as early as practicable during each fiscal year, of the estimated amount of instructional materials allotment (IMA) funds for which they are entitled. Allows a district or charter to place an order before the beginning of a fiscal year and to receive the materials before payment providing the cost of the order is no more than 80 percent of the estimated amount. Requires the commissioner to prioritize payment of such orders over reimbursement of purchases made directly by a district or charter. Mandates the commissioner must notify publishers of any potential delay in payment, subject to available funds. Permits a publisher to decline to accept an order under these circumstances. Gives commissioner rule-making authority of these IMA procedures.

ASSESSMENT

Limits on Remedial Tutoring and Test Preparation

Requires school boards to adopt and enforce a policy limiting the removal of students from class for remedial tutoring or test preparation if as a result the student would miss more than 10 percent of the school days the class is offered. Allows a student's parent or guardian to provide written consent to the district for the removal from class for such purposes beyond the 10 percent limit.

Applies beginning with the 2013–2014 school year.

Limits on District-Required Benchmark Testing

Defines "benchmark assessment instrument" as a district-required assessment instrument designed to prepare students for a corresponding state-administered assessment instrument.

Limits a district from administering to any student more than two benchmark tests in preparation for the corresponding state test.

Does not apply limits to college preparatory tests, including the PSAT, the ACT-Plan, the SAT, or the ACT; an AP test; an IB exam; or an independent classroom examination designed or adopted and administered by a classroom teacher.

Provides an exception for a student who has special needs, as determined by commissioner rule, by allowing the student's parent or guardian to request additional benchmark testing for the student.

Applies beginning with the 2013–2014 school year.

Assessment Requirements Removed

Removes the 15 percent grading policy requirement, the cumulative score requirement, and the minimum score requirement.

Applies beginning with the 2013–2014 school year.

Limited English Proficiency Students: 60 Consecutive Days of Enrollment

Requires a limited English proficiency (LEP) student to be enrolled in a U.S. school for at least 60 *consecutive* days during a school year to be considered as enrolled for that year for the purpose of determining state test participation (e.g., accommodated test, alternative test, or test exemption).

Applies beginning with the 2013–2014 school year.

End-of-Course Exams Required for Graduation

Requires TEA to adopt five end-of-course (EOC) exams, including:

- English I (reading and writing on a single test and given one score)
- English II (reading and writing on a single test and given one score)
- Algebra I
- Biology
- U.S History

Applies beginning with the 2013–2014 school year.

EOC Scale Score

Requires the commissioner to adopt rules requiring a student under the foundation program to be administered each of the five EOC exams required for graduation. Mandates that the commissioner determine a scale score that indicates satisfactory performance on each of the five EOC exams. Mandates that for each scale score not based on a 100-point scale scoring system, the commissioner must provide for conversion, in accordance with commissioner rule, to an equivalent score based on a 100-point scale scoring system.

Applies beginning with the 2013–2014 school year.

Texas Success Initiative Score in Lieu of EOC Score

Considers a student who satisfies the Texas Success Initiative (TSI) college readiness benchmarks, prescribed by the THECB, at the end of a college preparatory course to have satisfied EOC requirements for an equivalent course.

Applies beginning with the 2013–2014 school year.

Other Tests That Can Satisfy EOC Score Requirements

Requires the TEA commissioner to determine a method by which satisfactory performance on an AP, IB, SAT Subject Test, the SAT or the ACT, or any nationally recognized norm-referenced tests used by institutions of higher education to award course credit based on satisfactory performance to satisfy the EOC requirements for an equivalent course. Removes commissioner

rule-making authority and commissioner discretion to determine if any of these tests are “at least as rigorous as an EOC.”

Requires the commissioner to determine a method by which a student’s satisfactory performance on the PSAT or the ACT-Plan can be used to satisfy the requirements concerning an EOC in an equivalent course.

Allows a student who fails to perform satisfactorily on one of these tests, other than the PSAT or the ACT-Plan, to retake the test or another test, including the EOC, for the purpose of satisfying the EOC requirements. Mandates that a student who fails to perform satisfactorily on the PSAT or the ACT-Plan *must* take the appropriate EOC. Permits the commissioner to adopt rules for these particular provisions.

Applies beginning with the 2013–2014 school year.

ARD Committee Decisions about EOC exams

Requires the ARD committee for a student receiving special education services to determine whether satisfactory performance on an EOC exam is needed to receive a high school diploma.

Applies beginning with the 2013–2014 school year.

EOC Retakes

Makes retakes of an EOC exam optional for a student who fails to achieve the necessary score. Maintains the provision that a student is not required to retake a course as a condition of retaking an EOC.

Applies with the 2013–2014 school year.

Grade 11 Students Not Meeting EOC Score Requirements

Mandates that if a district determines on completion of grade 11 that a student is unlikely to achieve the necessary score for one or more EOC exams, the district must require the student to enroll in a corresponding content-area college preparatory course.

Applies beginning with the 2013–2014 school year.

Prohibited Uses of EOC Scores

Mandates that a student’s performance on an EOC exam may not be used for purposes of determining class rank, top 10 percent, or as a sole criterion for admission to an institution of higher education.

Applies beginning with the 2013–2014 school year.

Optional English III and Algebra II EOC Exams

Requires TEA to adopt or develop English III and Algebra II tests that districts *may* administer at the district's option. Mandates the TEA ensure that the tests can assess TEKS growth, measure achievement under college readiness standards, and are validated by national postsecondary experts for college readiness content and performance standards.

Requires the SBOE to adopt a schedule to administer the tests annually, and prohibits a test from being scheduled prior to the second full week in May.

Requires TEA to adopt policy that mandates a district that elects to participate in the optional tests must annually administer the test *to each student enrolled in Algebra II or English III* and report the test results to TEA. Requires TEA to annually report the results to the governor and other specified elected officials. Permits TEA to make public the districts that select to administer the Algebra II and English III EOC exams.

Prohibits the results of the optional tests from being used by TEA for state accountability purposes for a campus or district. Prohibits a district from using the test results for teacher evaluations, or in determining final course grades or class rank. Prohibits an institution of higher education from using the optional test results for admission purposes or eligibility for a TEXAS grant. Prohibits a district from administering a benchmark test to prepare students for these optional EOC exams.

Applies beginning with the 2015–2016 school year.

Test Results to Districts

Makes the date that TEA must notify districts of test results more specific with a deadline of no later than the 21st day after the day the test was administered.

Requires districts to disclose to each teacher the results of the tests given to students taught by the teacher in the test subject area during the *same* school year the test was administered.

Applies beginning with the 2013–2014 school year.

Redevelopment of Alternative Assessments

Requires TEA in conjunction with appropriate interested parties to redevelop or adopt assessments to be administered to significantly cognitively disabled students in a manner consistent with federal law. Mandates the tests measure growth and, to the extent allowed under federal law, provide districts with options. Mandates that the assessment instruments may not require a teacher to prepare tasks or materials. States that these tests must be administered no later than the 2014–2015 school year.

Release Tests

Requires TEA to release the question-and-answer keys for specified state tests (e.g., *not* test items used for retesting purposes) during the 2014–2015 and the 2015–2016 school years. Requires the commissioner to adopt rules so that the question-and-answer keys of the tests for the past four school years (2012–2013, 2013–2014, 2014–2015, 2015–2016) will be released at least once by 2015–2016.

TEA Commissioner Certification of Sufficient Funds

Makes changes to the TEA commissioner’s certification process regarding Student Success Initiative (SSI) funds. Maintains that the commissioner certify no later than July 1 of each school year whether sufficient funds have been appropriated for accelerated instruction (AI) for elementary, middle, and high school students who do not perform satisfactorily on state assessments.

Requires the commissioner to take into account new criteria when considering certification, including (1) the average cost per student per assessment instrument administration, (2) the number of students that require accelerated instruction because the student failed to perform satisfactorily, (3) whether sufficient funds have been appropriated to provide support to students in grades 3–12 who have been identified as at-risk of dropping out of school, and (4) whether sufficient funds have been appropriated to provide instructional materials that are aligned with state tests.

Prevents the commissioner from considering foundation school program (FSP) funds, except for compensatory education funds designated for high school remediation purposes. Maintains that grade advancement and accelerated instruction requirements may *only* be implemented if the commissioner certifies that sufficient funds have been appropriated.

Accelerated Instruction for High School Students

Adds a new section to education code specific to providing accelerated instruction (AI) to high school students who fail to perform satisfactorily on required end-of-course exams.

States that the AI may require participation before or after normal school hours and may include participation at times of the year outside of normal school operations. Mandates the AI be provided at no cost to the student.

Mandates that the district use appropriated compensatory education (CE) funds for the AI. Requires a district to separately budget CE funds for the AI and prohibits use of the funds for any other purpose until the district adopts a budget to support the AI.

Requires a district to evaluate the effectiveness of the AI programs and hold an annual public hearing to consider the results.

Increases the age of students considered “at-risk” for dropping out of school from 21 to 26 years of age for CE eligibility purposes.

Test Security Procedures

Requires the commissioner when establishing test administration procedures to ensure the procedures are designed to minimize disruptions to school operations and classroom environments. Requires districts when implementing the procedures to minimize disruptions.

Restriction on Appointments to Advisory Committees

Introduces a new provision that prevents the commissioner from appointing a person to a committee or panel that advises the commissioner or other TEA staff regarding state accountability systems or the content or administration of a state test if the person is retained or employed by a test vendor.

Mandates that if a person retained or employed by a test vendor is serving on a TEA advisory committee or panel on September 1, 2013 the person’s position becomes vacant and filled according to this statute.

Prohibition on Political Contribution or Activity

Introduces a new provision that an offense is committed by a person who is an agent of a state-test vendor if that person makes or authorizes a political contribution to, or takes part in any way of, any person seeking election to the SBOE.

Specifies that a person who is an agent for the state-test vendor commits an offense if that person serves on a formal or informal advisory committee established by the commissioner, TEA staff, or the SBOE to advise on policies or implementation of state accountability matters.

Mandates that an offense under either circumstance is considered a Class B misdemeanor.

Effective date: September 1, 2013

ACCOUNTABILITY

Indicators of Student Achievement

Adds new student achievement indicators to include the percentage of (1) students completing the distinguished level of achievement; (2) students completing an endorsement; and (3) at least three additional indicators of student achievement to evaluate district and campus performance, which must include either:

- Percentage of students that satisfy the TSI college readiness benchmarks in reading, writing, or math; or
- Number of students that earn at least 12 plus or 30 plus hours of postsecondary credit, an associate's degree, or an industry certification.

Prohibits any of these indicators that would measure improvements in student achievement from negatively affecting the commissioner's review of a district or campus if the district or campus is already achieving at the highest level for that indicator.

Requires the commissioner by rule to determine a method by which a student's performance can be included in the determination in the performance rating of a district and campus if before the student graduates the student satisfies the TSI college readiness benchmarks or performs satisfactorily on an EOC exam.

Applies beginning with the 2013–2014 school year.

Performance Indicators

Removes language referring to the percentage of students graduating under the RHSP or DAP.

Applies beginning with the 2014–2015 school year.

Report-Only Indicators

Expands report-only indicators to include the percentage of students graduating under the foundation high school program, the distinguished level of achievement, and earning an endorsement (removes language associated with RHSP and DAP reporting). Adds additional indicators including the number of students, disaggregated by subpopulations that take courses under the foundation program and take courses to earn an endorsement, disaggregated by type of endorsement.

Applies beginning with the 2014–2015 school year.

Exclusion from Dropout and Completion Rates

Mandates the commissioner exclude—when computing dropout and completion rates, students who previously were reported as dropouts, including students who were reported as dropouts, re-enrolled, and then dropped out again—regardless of the number of times this has occurred.

Applies beginning with the 2013–2014 school year.

District Performance Ratings

Requires the commissioner to adopt rules to assign each *district* a performance rating of A, B, C, D, or F and to determine the criteria for each letter rating. States that a rating of A, B, or C is deemed “acceptable” performance and a rating of D or F reflects an “unacceptable” performance.

Prohibits a district from receiving an “A” rating if the district includes *any campus* with an “unacceptable” performance rating.

Requires the rating to be made public not later than August 8 of each year.

Applies beginning with the 2016–2017 school year.

Campus Performance Ratings

Requires the commissioner to also assign each *campus* a performance rating of exemplary, recognized, acceptable, or unacceptable. A campus rating of exemplary, recognized, or acceptable reflects “acceptable” performance, and a rating of unacceptable is deemed “unacceptable.”

Requires the rating to be made public not later than August 8 of each year.

Applies beginning with the 2016–2017 school year.

NEW Community and Student Engagement Accountability System

Introduces a new component to the state accountability system that requires each district to report to TEA and make publically available a self-evaluation of the district and each campus in the area of community and student engagement.

Requires a local committee to establish criteria that will be used to issue a rating to the district and each campus of exemplary, recognized, acceptable, or unacceptable for both overall performance and on individual factors that include: (1) fine arts; (2) wellness and P.E.; (3)

community and parental involvement, i.e. tutoring programs or participation in community service projects; (4) 21st Century Workforce Development program; (5) second language acquisition program; (6) digital learning environment; (7) dropout prevention strategies; (8) educational programs for gifted and talented students; and (9) record of *district and campus* compliance with statutory reporting and policy requirements.

Requires the rating to be made public not later than August 8 of each year.

Applies beginning with the 2013–2014 school year.

Triggers for Special Accreditations Investigations

Updates this section of code with removal of references to the MHSP, RHSP, and DAP. Adds new triggers that include: (1) excessive numbers of students that fail to complete Algebra II or other advanced courses; (2) excessive numbers of students earning a particular endorsement; and (3) a disproportionate number of students of a particular demographic group is graduating with a particular endorsement.

Applies beginning with the 2014–2015 school year.

FIRST Accountability System

Gives commissioner rule-making authority to add indicators that measure future financial solvency to the FIRST system. Requires the system to assign point values to a commissioner-developed matrix. Requires the solvency indicators be evaluated at least once every three years. Requires the commissioner, in consultation with the comptroller, to adopt rules that establish the criteria for the ratings. Mandates that the lowest rating be issued if a district or charter fails to achieve satisfactory performance on a critical indicator or on a category of indicators that suggest trends leading to financial distress.

Requires the commissioner to issue a preliminary rating. Allows a district to submit additional information related to any area that was considered unsatisfactory, and requires the commissioner to consider the information before a final rating is issued. Provides that the commissioner may not penalize a district if the additional information negates the original concern.

Requires initial rules to be adopted not later than March 1, 2015.

Requires the rating to be made public not later than August 8 of each year.

Applies beginning with the 2014–2015 school year.

Projected Deficit Under FIRST System

Requires the commissioner to provide a district or open-enrollment charter interim financial reports, including projected revenues and expenditures, if a deficit is projected for the district or charter within the following three school years. Permits TEA to require additional reports from districts under these circumstances. Allows the commissioner to order the district or charter to acquire professional services if the reports submitted are deemed unreliable.

Applies beginning with the 2014–2015 school year.

Corrective Action Plan

Requires districts and open-enrollment charters assigned the lowest FIRST performance rating to submit to the commissioner a corrective action plan to address the financial weaknesses. Specifies the corrective plan identify specific areas of weakness; e.g., transportation, curriculum, teacher development, and to include strategies for improvement. Permits the commissioner to assign sanctions against a district or school that fails to submit or implement a corrective plan.

Applies beginning with the 2014–2015 school year.

Academic Distinction Designations for District and Campuses

Requires the commissioner to award distinction designations not later than August 8 of each year. The designation must be referenced directly in connection with the performance rating given to districts or campuses.

Requires the commissioner by rule to establish an academic distinction designation for districts and campuses for outstanding performance in attaining postsecondary readiness based on (1) state-test performance and improvement in relation to college readiness standards; and (2) percentages of students that earn recognized business or industry certification or license; complete a coherent sequence of CTE courses; complete a dual credit course or articulated postsecondary course for local credit; achieve applicable college readiness benchmarks or the equivalent on the PSAT, SAT, ACT, or ACT-Plan; and who received a score to earn college credit on either an AP or IB test.

Campus Distinction Designations

Requires the commissioner to award a distinction designation to a campus ranked in the top 25 percent in the state for outstanding performance in improvement of student achievement and in the top 25 percent for closing student achievement differentials. Requires that campuses will also be awarded the distinction designation for outstanding performance in English language arts, science, or social studies.

Allows the commissioner to also give a distinction designation for outstanding performance in advanced middle or junior high school achievement to campuses that have significant numbers of students performing satisfactorily on an EOC exam.

Applies beginning with the 2013–2014 school year.

NEW Texas School Accountability Dashboard

Creates a new dashboard that requires TEA to develop and maintain a website separate from its own for the public to be able to access campus and district accountability information.

Requires the commissioner to adopt a performance index for the dashboard in four areas: (1) student achievement, (2) student progress, (3) closing performance gaps, and, (4) postsecondary readiness.

Mandates the dashboard include:

1. Performance for each district and campus in each of the four areas of the index.
2. Comparison of the number of students enrolled in each district, including the percentage of students who are LEP, unschooled asylees or refugees, educationally disadvantaged, and with disabilities.
3. Comparison of performance for each district and campus disaggregated by race, ethnicity, and populations served by special programs, including special education, bilingual education, and special language programs; and, a comparison of performance information by subject area.

Comprehensive Annual Report

Expands TEA's Comprehensive Annual Report to include information about the availability of each endorsement in each district; and the district's economic, geographic, and demographic information, as determined by the commissioner.

Applies beginning with the 2014–2015 school year.

Notice on TEA Website

Requires TEA not later than October 1 of each year to post on the TEA website information pertaining to the (1) letter performance rating awarded to a district or campus; (2) performance rating assigned to a district and each campus by the district under the community and student engagement system; and (3) FIRST rating assigned to each district and school.

Applies beginning with the 2013–2014 school year.

HIGHER EDUCATION

Texas Success Initiative Exemptions

Exempts students from Texas Success Initiative (TSI) requirements who meet the college readiness standards on the English III or Algebra II EOC exams. Requires the higher education commissioner by rule to establish the period for which an exemption is valid.

Applies beginning with the 2015–2016 school year.

Exempts students from TSI requirements who successfully complete a college preparatory course with respect to the content area of the course for the institution that the district partnered with to provide the course. Requires the higher education commissioner by rule to establish the period for which an exemption is valid and allows the commissioner by rule to determine if the exemption may apply to other institutions of higher education other than the partnering institution.

Applies beginning with the 2013–2014 school year.

Automatic College Admissions

Introduces a new requirement that a student must have earned the “distinguished achievement level” under the foundation program to be eligible for automatic admission if the student graduates in the top 10 percent of the student’s graduating class. Maintains the options of allowing satisfactory performance on the ACT or SAT to meet automatic entry requirements.

Requires the TEA commissioner and commissioner of higher education to jointly adopt rules for eligibility requirements for students graduating under the RHSP or DAP so that their participation in the programs does not affect automatic admission. Expires this particular provision September 1, 2020.

Applies beginning with the 2014–2015 school year.

General Admissions

Requires a student who does not qualify for automatic admissions to apply to any general academic teaching institution in Texas if the student has completed the foundation school program requirements or demonstrated applicable college readiness benchmarks on the ACT and SAT.

Requires the TEA commissioner and commissioner of higher education to jointly adopt rules for eligibility requirements for students graduating under the MHSP, RHSP, or DAP so that their

participation in the programs does not affect automatic admission. Expires this particular provision September 1, 2020.

Applies beginning with the 2014–2015 school year.

Miscellaneous Chapters of Higher Education Code

Adds conforming language to several sections of higher education code to align with the foundation high school program and distinguished level of achievement requirements. Those sections include decision on a private school curriculum and its equivalency to public school curriculum requirements, student financial assistance, initial eligibility for higher education for students graduating from high school after May 1, 2013, applied stem courses; engineering summer program, tech-prep program and associated grants: math and science courses for high-demand occupations and associated grants, The Texas Academy of Mathematics and Science at The University of Texas Brownsville, The Texas Academy of International Studies at Texas A&M International University, and courses for joint junior high school and junior college districts.

Applies beginning with the 2014–2015 school year.