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H.B. No. 1302

A BILL TO BE ENTITLED

1 AN ACT

2 relating to measures to support and acknowledge public school
3 student achievement, including continuing education requirements
4 for a classroom teacher to include project-based learning and the
5 consideration of certain student achievement indicators under the
6 public school accountability system.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. Section 21.054(d), Education Code, is amended to
9 read as follows:

10 (d) Continuing education requirements for a classroom
11 teacher must provide that at least 25 percent of the training
12 required every five years include instruction regarding:

13 (1) collecting and analyzing information that will
14 improve effectiveness in the classroom;

15 (2) recognizing early warning indicators that a
16 student may be at risk of dropping out of school;

17 (3) digital learning, digital teaching, and
18 integrating technology into classroom instruction;

19 (4) project-based learning;

20 (5) educating diverse student populations, including:

21 (A) students who are eligible to participate in
22 special education programs under Subchapter A, Chapter 29;

23 (B) students who are eligible to receive
24 educational services required under Section 504, Rehabilitation

1 Act of 1973 (29 U.S.C. Section 794);

2 (C) students with mental health conditions or who
3 engage in substance abuse;

4 (D) students with intellectual or developmental
5 disabilities;

6 (E) students who are educationally
7 disadvantaged;

8 (F) students of limited English proficiency; and

9 (G) students at risk of dropping out of school;

10 (6) [~~(5)~~] understanding appropriate relationships,
11 boundaries, and communications between educators and students; and

12 (7) [~~(6)~~] how mental health conditions, including
13 grief and trauma, affect student learning and behavior and how
14 evidence-based, grief-informed, and trauma-informed strategies
15 support the academic success of students affected by grief and
16 trauma.

17 SECTION 2. Section 28.025(c-5), Education Code, is amended
18 to read as follows:

19 (c-5) A student may earn a performance acknowledgment on the
20 student's transcript by satisfying the requirements for that
21 acknowledgment adopted by the State Board of Education by rule. An
22 acknowledgment under this subsection may be earned:

23 (1) for outstanding performance:

24 (A) in a dual credit course;

25 (B) in bilingualism and biliteracy;

26 (C) on a college advanced placement test or
27 international baccalaureate examination;

1 (D) on an established, valid, reliable, and
2 nationally norm-referenced preliminary college preparation
3 assessment instrument used to measure a student's progress toward
4 readiness for college and the workplace; or

5 (E) on an established, valid, reliable, and
6 nationally norm-referenced assessment instrument used by colleges
7 and universities as part of their undergraduate admissions process;
8 [~~or~~]

9 (2) for earning a state recognized or nationally or
10 internationally recognized business or industry certification or
11 license; or

12 (3) for completing 10 projects demonstrating
13 workforce readiness while enrolled at a campus that is a member of
14 the New Tech Network.

15 SECTION 3. Section 39.053(c), Education Code, is amended to
16 read as follows:

17 (c) School districts and campuses must be evaluated based on
18 three domains of indicators of achievement adopted under this
19 section that include:

20 (1) in the student achievement domain, indicators of
21 student achievement that must include:

22 (A) for evaluating the performance of districts
23 and campuses generally:

24 (i) an indicator that accounts for the
25 results of assessment instruments required under Sections
26 39.023(a), (c), and (l), as applicable for the district and campus,
27 including the results of assessment instruments required for

1 graduation retaken by a student, aggregated across grade levels by
2 subject area, including:

3 (a) for the performance standard
4 determined by the commissioner under Section 39.0241(a), the
5 percentage of students who performed satisfactorily on the
6 assessment instruments, aggregated across grade levels by subject
7 area; and

8 (b) for the college readiness
9 performance standard as determined under Section 39.0241, the
10 percentage of students who performed satisfactorily on the
11 assessment instruments, aggregated across grade levels by subject
12 area; and

13 (ii) an indicator that accounts for the
14 results of assessment instruments required under Section
15 39.023(b), as applicable for the district and campus, including the
16 percentage of students who performed satisfactorily on the
17 assessment instruments, as determined by the performance standard
18 adopted by the agency, aggregated across grade levels by subject
19 area; ~~and~~

20 (B) for evaluating the performance of high school
21 campuses and districts that include high school campuses,
22 indicators that account for:

23 (i) students who satisfy the Texas Success
24 Initiative (TSI) college readiness benchmarks prescribed by the
25 Texas Higher Education Coordinating Board under Section 51.334 on
26 an assessment instrument in reading or mathematics designated by
27 the coordinating board under that section;

1 (ii) students who satisfy relevant
2 performance standards on advanced placement tests or similar
3 assessments;

4 (iii) students who earn dual course credits
5 in the dual credit courses;

6 (iv) students who demonstrate military
7 readiness by:

8 (a) enlisting in the armed forces of
9 the United States;

10 (b) successfully completing two years
11 of a course of study in a Junior Reserve Officer Training Corps
12 (JROTC) program; or

13 (c) enlisting in the Texas military
14 forces [~~enlist in the armed forces of the United States~~];

15 (v) students who earn industry
16 certifications;

17 (vi) students admitted into postsecondary
18 industry certification programs that require as a prerequisite for
19 entrance successful performance at the secondary level;

20 (vii) students whose successful completion
21 of a course or courses under Section 28.014 indicates the student's
22 preparation to enroll and succeed, without remediation, in an
23 entry-level general education course for a baccalaureate degree or
24 associate degree;

25 (viii) students who successfully met
26 standards on a composite of indicators that through research
27 indicates the student's preparation to enroll and succeed, without

1 remediation, in an entry-level general education course for a
2 baccalaureate degree or associate degree;

3 (ix) high school graduation rates, computed
4 in accordance with standards and definitions adopted in compliance
5 with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.)
6 subject to the exclusions provided by Subsections (g), (g-1),
7 (g-2), and (g-3);

8 (x) students who successfully completed an
9 OnRamps dual enrollment course;

10 (xi) students who successfully completed a
11 practicum or internship approved by the State Board of Education;
12 [~~and~~]

13 (xii) students who are awarded an associate
14 degree;

15 (xiii) students who have earned a diploma
16 after not more than three and one-half years of high school
17 attendance; and

18 (xiv) students who enroll in a preparatory
19 program of training in fire protection at a school approved by the
20 Texas Commission on Fire Protection; and

21 (C) for evaluating the performance of
22 elementary, middle, and junior high school campuses and districts
23 that include those campuses, indicators that account for students
24 who:

25 (i) in grade seven or eight, complete an
26 advanced level course as designated by the district;

27 (ii) have been promoted to a higher grade

1 level, or accelerated to a higher level for a subject in the
2 foundation curriculum, than the level to which the students would
3 ordinarily be assigned, including through credit by examination or
4 another method approved by the district;

5 (iii) are identified as gifted and talented
6 and have been promoted to a higher grade level, or accelerated to a
7 higher level for a subject in the foundation curriculum, than the
8 level to which the students would ordinarily be assigned, including
9 through credit by examination or another method approved by the
10 district;

11 (iv) have received credit by examination
12 with no prior instruction in the applicable course;

13 (v) by the end of grade eight, complete one
14 career and technology education course in a program of study
15 approved by the agency for purposes of this subparagraph;

16 (vi) are identified as gifted and talented
17 and have received credit by examination with no prior instruction
18 in the applicable course; and

19 (vii) complete during school hours not
20 fewer than four project-based or problem-based learning projects
21 during a school year;

22 (2) in the school progress domain, indicators for
23 effectiveness in promoting student learning, which must include:

24 (A) for assessment instruments, including
25 assessment instruments under Subdivisions (1)(A)(i) and (ii), the
26 percentage of students who met the standard for improvement, as
27 determined by the commissioner; and

1 (B) for evaluating relative performance, the
2 performance of districts and campuses compared to similar districts
3 or campuses; and

4 (3) in the closing the gaps domain, the use of
5 disaggregated data to demonstrate the differentials among students
6 from different racial and ethnic groups, socioeconomic
7 backgrounds, and other factors, including:

8 (A) students formerly receiving special
9 education services;

10 (B) students continuously enrolled; and

11 (C) students who are mobile.

12 SECTION 4. Section 39.202, Education Code, is amended to
13 read as follows:

14 Sec. 39.202. ACADEMIC DISTINCTION DESIGNATIONS

15 [~~DESIGNATION~~] FOR DISTRICTS AND CAMPUSES. (a) The commissioner by
16 rule shall establish an academic distinction designation for
17 districts and campuses for outstanding performance in attainment of
18 postsecondary readiness. The commissioner shall adopt criteria for
19 the designation under this subsection [~~section~~], including:

20 (1) percentages of students who:

21 (A) performed satisfactorily, as determined
22 under the college readiness performance standard under Section
23 39.0241, on assessment instruments required under Section
24 39.023(a), (b), (c), or (l), aggregated across grade levels by
25 subject area; or

26 (B) met the standard for annual improvement, as
27 determined by the agency under Section 39.034, on assessment

1 instruments required under Section 39.023(a), (b), (c), or (l),
2 aggregated across grade levels by subject area, for students who
3 did not perform satisfactorily as described by Paragraph (A);

4 (2) percentages of:

5 (A) students who earned a nationally or
6 internationally recognized business or industry certification or
7 license;

8 (B) students who completed a coherent sequence of
9 career and technical courses;

10 (C) students who completed a dual credit course
11 or an articulated postsecondary course provided for local credit;

12 (D) students who achieved applicable College
13 Readiness Benchmarks or the equivalent on the Preliminary
14 Scholastic Assessment Test (PSAT), the Scholastic Assessment Test
15 (SAT), the American College Test (ACT), or the ACT-Plan assessment
16 program; and

17 (E) students who received a score on either an
18 advanced placement test or an international baccalaureate
19 examination to be awarded college credit; and

20 (3) other factors for determining sufficient student
21 attainment of postsecondary readiness.

22 (b) In addition to the distinction designation described by
23 Subsection (a), the commissioner by rule shall establish an
24 academic distinction designation for districts and campuses for
25 outstanding performance in attainment of high student achievement.
26 The commissioner shall adopt criteria for the designation under
27 this subsection, including percentages of students who:

1 (1) have earned a diploma after not more than three and
2 one-half years of high school attendance;

3 (2) in grade seven or eight, complete an advanced
4 level course as designated by the district;

5 (3) have been promoted to a higher grade level, or
6 accelerated to a higher level for a subject in the foundation
7 curriculum, than the level to which the students would ordinarily
8 be assigned, including through credit by examination or another
9 method approved by the district;

10 (4) are identified as gifted and talented and have
11 been promoted to a higher grade level, or accelerated to a higher
12 level for a subject in the foundation curriculum, than the level to
13 which the students would ordinarily be assigned, including through
14 credit by examination or another method approved by the district;

15 (5) have received credit by examination with no prior
16 instruction in the applicable course;

17 (6) are identified as gifted and talented and have
18 received credit by examination with no prior instruction in the
19 applicable course; and

20 (7) complete during school hours not fewer than four
21 project-based or problem-based learning projects during a school
22 year.

23 SECTION 5. As soon as practicable after the effective date
24 of this Act, the State Board for Educator Certification shall
25 propose rules implementing Section 21.054(d), Education Code, as
26 amended by this Act.

27 SECTION 6. A classroom teacher subject to continuing

1 education requirements immediately before the effective date of
2 this Act is not required to comply with the continuing education
3 requirements described by Section 21.054(d), Education Code, as
4 amended by this Act, for any continuing education requirements
5 period that ends before January 1, 2022.

6 SECTION 7. This Act applies beginning with the 2021-2022
7 school year.

8 SECTION 8. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2021.