

1 AN ACT

2 relating to public education and public school finance.

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

4 ARTICLE 1. TEACHER COMPENSATION

5 SECTION 1.01. Section 21.3521, Education Code, is amended
6 by amending Subsections (a), (c), and (e) and adding Subsections
7 (c-1), (d-1), (d-2), and (d-3) to read as follows:

8 (a) Subject to Subsection (b), a school district or
9 open-enrollment charter school may designate a classroom teacher as
10 a master, exemplary, ~~or~~ recognized, or acknowledged teacher for a
11 five-year period based on the results from single year or multiyear
12 appraisals that comply with Section 21.351 or 21.352.

13 (c) Notwithstanding performance standards established
14 under Subsection (b) and subject to authorization under Section
15 21.3523, a classroom teacher that holds a National Board
16 Certification issued by the National Board for Professional
17 Teaching Standards may be designated as nationally board certified
18 ~~[recognized]~~.

19 (c-1) A classroom teacher's designation under Subsection
20 (c) is valid for a five-year period, regardless of whether the State
21 Board for Educator Certification subsequently revokes
22 authorization for a nationally board certified teacher designation
23 under Section 21.3523.

24 (d-1) Each school year, the commissioner shall, using

1 criteria developed by the commissioner, designate as enhanced
2 teacher incentive allotment systems school districts and
3 open-enrollment charter schools that implement comprehensive
4 school evaluation and support systems. The criteria developed by
5 the commissioner must require a district or school to:

6 (1) for principals and assistant principals,
7 implement:

8 (A) a strategic evaluations system aligned with
9 the district's or school's teacher designation system; and

10 (B) a compensation system based on performance;

11 (2) ensure that under the district's or school's
12 teacher designation system substantially all classroom teachers,
13 regardless of the grade level or subject area to which the teacher
14 is assigned, are eligible to earn a designation under Subsection
15 (a);

16 (3) implement for all classroom teachers a
17 compensation plan based on performance that:

18 (A) uses a salary schedule that differentiates
19 among classroom teachers based on staff appraisals; and

20 (B) does not include across-the-board salary
21 increases for classroom teachers except for periodic changes to the
22 district's or school's salary schedule to adjust for significant
23 inflation; and

24 (4) implement a locally designed plan to place highly
25 effective teachers at high needs campuses and in accordance with
26 Section 28.0062(a)(3).

27 (d-2) The commissioner may designate a school district or

1 open-enrollment charter school as an enhanced teacher incentive
2 allotment system under Subsection (d-1) only if the district or
3 school has implemented a local optional teacher designation system
4 under this section.

5 (d-3) The commissioner may remove a school district's or
6 open-enrollment charter school's designation under Subsection
7 (d-1) if the commissioner determines the district or school no
8 longer meets the criteria for the designation.

9 (e) The agency shall develop and provide technical
10 assistance for school districts and open-enrollment charter
11 schools that request assistance in implementing a local optional
12 teacher designation system, including:

13 (1) providing assistance in prioritizing high needs
14 campuses;

15 (2) providing examples or models of local optional
16 teacher designation systems to reduce the time required for a
17 district or school to implement a teacher designation system;

18 (3) providing examples or models of local optional
19 teacher designation systems that implement a teacher designation
20 system for teachers of special populations, including special
21 education and bilingual education;

22 (4) establishing partnerships between districts and
23 schools that request assistance and districts and schools that have
24 implemented a teacher designation system;

25 (5) applying the performance and validity standards
26 established by the commissioner under Subsection (b);

27 (6) providing centralized support for the analysis of

1 the results of assessment instruments administered to district
2 students; and

3 (7) facilitating effective communication on and
4 promotion of local optional teacher designation systems.

5 SECTION 1.02. Subchapter H, Chapter 21, Education Code, is
6 amended by adding Sections 21.3522 and 21.3523 to read as follows:

7 Sec. 21.3522. LOCAL OPTIONAL TEACHER DESIGNATION SYSTEM
8 GRANT PROGRAM. (a) From funds appropriated or otherwise
9 available for the purpose, the agency shall establish and
10 administer a grant program to provide money and technical
11 assistance to:

12 (1) expand implementation of local optional teacher
13 designation systems under Section 21.3521; and

14 (2) increase the number of classroom teachers eligible
15 for a designation under that section.

16 (b) A grant awarded under this section must:

17 (1) meet the needs of individual school districts; and

18 (2) enable regional leadership capacity.

19 (c) The commissioner may adopt rules as necessary to
20 implement this section.

21 Sec. 21.3523. REVIEW AND AUTHORIZATION OF NATIONALLY BOARD
22 CERTIFIED TEACHER DESIGNATION. (a) The State Board for Educator
23 Certification may periodically review National Board
24 Certifications issued by the National Board for Professional
25 Teaching Standards to determine whether to reauthorize or revoke
26 authorization for the nationally board certified teacher
27 designation under Section 21.3521(c). If the board revokes

1 authorization, the board may at any time conduct a review under this
2 subsection to determine whether to reauthorize the nationally board
3 certified teacher designation.

4 (b) A review under Subsection (a) must evaluate whether the
5 components and assessments required for a National Board
6 Certification align and comply with state law, including whether:

7 (1) earning a National Board Certification would
8 interfere with the certificate holder's ability to provide:

9 (A) instruction in the essential knowledge and
10 skills without using common core state standards, as defined by
11 Section 28.002;

12 (B) phonics instruction in accordance with
13 Section 28.0062 and without using three-cueing, as prohibited by
14 Subsection (a-1) of that section; or

15 (C) instruction in accordance with:

16 (i) the instructional requirements and
17 prohibitions under Section 28.0022; or

18 (ii) any other applicable state law; and

19 (2) the components and assessments align with the
20 criteria adopted by the State Board of Education under Section
21 31.022 for the approval of instructional materials.

22 (c) Not later than December 31, 2026, the State Board for
23 Educator Certification shall conduct an initial review under
24 Subsection (a) of National Board Certifications issued by the
25 National Board for Professional Teaching Standards and reauthorize
26 or revoke the nationally board certified teacher designation under
27 Section 21.3521(c). If the board fails to reauthorize the

1 designation by that date, the authorization for the designation is
2 revoked. This subsection expires September 1, 2027.

3 SECTION 1.03. Subchapter I, Chapter 21, Education Code, is
4 amended by adding Section 21.417 to read as follows:

5 Sec. 21.417. RESOURCES, INCLUDING LIABILITY INSURANCE, FOR
6 CLASSROOM TEACHERS. (a) From funds appropriated or otherwise
7 available for the purpose, the agency shall contract with a third
8 party to provide the following services for a classroom teacher
9 employed under a probationary, continuing, or term contract:

10 (1) assistance in understanding the teacher's rights,
11 duties, and benefits; and

12 (2) liability insurance to protect a teacher against
13 liability to a third party based on conduct that the teacher
14 allegedly engaged in during the course of the teacher's duties.

15 (b) A school district may not interfere with a classroom
16 teacher's access to services provided under this section.

17 (c) A contract entered into by the agency to provide
18 services under Subsection (a) must prohibit the entity with which
19 the agency contracts from using funds received under the contract
20 to engage in:

21 (1) conduct that a state agency using appropriated
22 money is prohibited from engaging in under Chapter 556, Government
23 Code; and

24 (2) political activities or advocate for issues
25 regarding public schools, including for boards of trustees of
26 school districts or school districts.

27 (d) This section may not be interpreted to interfere with a

1 classroom teacher's or other school district employee's exercise of
2 a right protected by the First Amendment to the United States
3 Constitution.

4 SECTION 1.04. The heading to Section 22.001, Education
5 Code, is amended to read as follows:

6 Sec. 22.001. SALARY DEDUCTIONS FOR PROFESSIONAL OR OTHER
7 DUES.

8 SECTION 1.05. Sections 22.001(a) and (b), Education Code,
9 are amended to read as follows:

10 (a) A school district employee is entitled to have an amount
11 deducted from the employee's salary for membership fees or dues to a
12 professional organization or an entity providing services to
13 classroom teachers under Section 21.417. The employee must:

14 (1) file with the district a signed written request
15 identifying the organization or entity [~~and specifying the number~~
16 ~~of pay periods per year the deductions are to be made~~]; and

17 (2) inform the district of the total amount of the fees
18 and dues for each year or have the organization or entity notify the
19 district of the amount.

20 (b) The district shall deduct the total amount of the fees
21 or dues for a year in equal amounts per pay period [~~for the number of~~
22 ~~periods specified by the employee~~]. The district shall notify the
23 employee not later than the 45th day after the district receives a
24 request under Subsection (a) of the number of pay periods annually
25 from which the district will deduct the fees or dues. The
26 deductions shall be made until the employee requests in writing
27 that the deductions be discontinued.

1 SECTION 1.06. Section 48.112, Education Code, is amended by
2 amending Subsections (c), (d), and (i) and adding Subsection (g-1)
3 to read as follows:

4 (c) For each classroom teacher with a teacher designation
5 under Section 21.3521 employed by a school district, the school
6 district is entitled to an allotment equal to the following
7 applicable base amount increased by the high needs and rural factor
8 as determined under Subsection (d):

9 (1) \$12,000, or an increased amount not to exceed
10 \$36,000 [~~\$32,000~~] as determined under Subsection (d), for each
11 master teacher;

12 (2) \$9,000 [~~\$6,000~~], or an increased amount not to
13 exceed \$25,000 [~~\$18,000~~] as determined under Subsection (d), for
14 each exemplary teacher; ~~and~~

15 (3) \$5,000 [~~\$3,000~~], or an increased amount not to
16 exceed \$15,000 [~~\$9,000~~] as determined under Subsection (d), for
17 each recognized teacher; and

18 (4) \$3,000, or an increased amount not to exceed
19 \$9,000 as determined under Subsection (d), for each:

20 (A) acknowledged teacher; or

21 (B) nationally board certified teacher.

22 (d) The high needs and rural factor is determined by
23 multiplying the following applicable amounts by the average of the
24 point value assigned to each student at a district campus under
25 Subsection (e):

26 (1) \$6,000 [~~\$5,000~~] for each master teacher;

27 (2) \$4,000 [~~\$3,000~~] for each exemplary teacher; ~~and~~

1 (3) \$2,500 [~~\$1,500~~] for each recognized teacher; and

2 (4) \$1,500 for each:

3 (A) acknowledged teacher; or

4 (B) nationally board certified teacher.

5 (g-1) For a district that is designated as an enhanced
6 teacher incentive allotment system under Section 21.3521(d-1), the
7 commissioner shall increase the amount to which the district is
8 entitled under this section by multiplying that amount by 1.1.

9 (i) A district shall annually certify that:

10 (1) funds received under this section were used as
11 follows:

12 (A) at least 90 percent of each allotment
13 received under Subsection (c) was used for the compensation of
14 teachers employed at the campus at which the teacher for whom the
15 district received the allotment is employed; [~~and~~]

16 (B) for a district whose allotment was increased
17 under Subsection (g-1), the amount by which the allotment was
18 increased under that subsection was used to meet the criteria to
19 maintain a designation as an enhanced teacher incentive allotment
20 system under Section 21.3521(d-1); and

21 (C) any other funds received under this section
22 were used for costs associated with implementing Section 21.3521,
23 including efforts to support teachers in obtaining designations;
24 and

25 (2) the district prioritized high needs campuses in
26 the district in using funds received under this section.

27 SECTION 1.07. Subchapter D, Chapter 48, Education Code, is

1 amended by adding Sections 48.158 and 48.1581 to read as follows:

2 Sec. 48.158. TEACHER RETENTION ALLOTMENT. (a) In this
3 section, "classroom teacher" has the meaning assigned by Section
4 5.001, except that the term also includes:

5 (1) a person who is not required to hold a certificate
6 issued under Subchapter B, Chapter 21, who otherwise meets the
7 definition of a classroom teacher under Section 5.001; and

8 (2) a person, including a person described by
9 Subdivision (1), employed by an entity with which a school district
10 has entered into a contract who otherwise meets the definition of a
11 classroom teacher under Section 5.001.

12 (b) A school district is entitled to an annual allotment for
13 each classroom teacher who is employed by or contracts with the
14 district for which the allotment is provided as follows:

15 (1) if the district has 5,000 or fewer students
16 enrolled for the school year:

17 (A) \$4,000 for each classroom teacher who has at
18 least three but less than five years of teaching experience; and

19 (B) \$8,000 for each classroom teacher who has
20 five or more years of teaching experience; and

21 (2) if the district has more than 5,000 students
22 enrolled for the school year:

23 (A) \$2,500 for each classroom teacher who has at
24 least three but less than five years of teaching experience; and

25 (B) \$5,000 for each classroom teacher who has
26 five or more years of teaching experience.

27 (b-1) Instead of the allotment under Subsection (b)(2), a

1 school district described by that subdivision is entitled to
2 funding under Subsection (b)(1) if the school district received an
3 allotment under Subsection (b)(1) in a previous school year.

4 (c) For the 2025-2026 school year, a school district shall
5 use money received under Subsection (b) to:

6 (1) increase the salary provided to each classroom
7 teacher for which the district is entitled to funding under
8 Subsection (b) for that year over the salary the teacher received or
9 would have received if the teacher was employed by or contracted
10 with the district in the 2024-2025 school year by at least the
11 amount received per classroom teacher under Subsection (b); or

12 (2) if the school district is applying to be
13 designated as an enhanced teacher incentive allotment system,
14 increase the salaries of classroom teachers for that year based on
15 performance.

16 (d) Except as provided by Subsection (e), for the 2026-2027
17 and each subsequent school year, a school district shall use money
18 received under Subsection (b) to maintain the salary increases for
19 classroom teachers provided under Subsection (c). Any additional
20 funding generated for a school district under this section may only
21 be used for the compensation of classroom teachers who are employed
22 by or contract with the district and who have three or more years of
23 experience.

24 (e) A school district that has been designated as an
25 enhanced teacher incentive allotment system for the applicable
26 school year may use money received under Subsection (b) to provide
27 salaries to classroom teachers in accordance with the district's

1 compensation plan.

2 (f) A school district that increases classroom teacher
3 compensation in the 2025-2026 school year to comply with Subsection
4 (c), as added by H.B. 2, 89th Legislature, Regular Session, 2025, is
5 providing compensation for services rendered independently of an
6 existing employment contract applicable to that school year and is
7 not in violation of Section 53, Article III, Texas Constitution.
8 This subsection expires September 1, 2027.

9 Sec. 48.1581. SUPPORT STAFF RETENTION ALLOTMENT. (a) In
10 this section, "non-administrative staff":

11 (1) includes a full-time or part-time employee who is
12 not eligible for a salary increase under Section 48.158, including:

13 (A) a teacher not eligible for a salary increase
14 under Section 48.158;

15 (B) a school counselor;

16 (C) a librarian;

17 (D) a school nurse;

18 (E) a teacher's assistant;

19 (F) a member of the custodial staff;

20 (G) a member of the food services staff;

21 (H) a bus driver;

22 (I) an administrative assistant; and

23 (J) other support staff; and

24 (2) does not include:

25 (A) a superintendent of a school district or
26 other administrator serving as educational leader and chief
27 executive officer;

1 (B) an assistant superintendent or a person in an
2 equivalent role;

3 (C) a principal or assistant principal; and

4 (D) an employee in a centralized supervisory
5 role.

6 (b) For purposes of this section, a school district's
7 adjusted average attendance is the quotient of:

8 (1) the sum of the district's allotments under
9 Subchapter B and, if applicable, the allotment under Section 48.101
10 for the applicable school year; and

11 (2) the basic allotment for the applicable school
12 year.

13 (b-1) In determining adjusted average daily attendance
14 under this section, the agency shall exclude students who do not
15 reside in the district and are enrolled in a full-time virtual
16 program.

17 (c) A school district is entitled to an annual allotment of
18 \$45 for each student in adjusted average attendance.

19 (d) For the 2025-2026 school year, a school district shall
20 use money received under Subsection (c) to increase the salaries
21 provided to non-administrative staff.

22 (e) For the 2026-2027 and each subsequent school year, a
23 school district shall use money received under Subsection (c) to
24 maintain the salary increases provided under Subsection (d). Any
25 additional money the district receives under this section may only
26 be used for the compensation of non-administrative staff.

27 (f) A school district that increases non-administrative

1 staff compensation in the 2025-2026 school year to comply with
2 Subsection (d), as added by H.B. 2, Acts of the 89th Legislature,
3 Regular Session, 2025, is providing compensation for services
4 rendered independently of an existing employment contract
5 applicable to that school year and is not in violation of Section
6 53, Article III, Texas Constitution. This subsection expires
7 September 1, 2027.

8 SECTION 1.08. Section 48.257, Education Code, is amended by
9 adding Subsection (b-1) to read as follows:

10 (b-1) If for any school year a school district receives an
11 adjustment under Subsection (b) and, after that adjustment, is no
12 longer subject to Subsection (a), the district is entitled to
13 additional state aid for that school year in an amount equal to the
14 lesser of:

15 (1) the difference, if the difference is greater than
16 zero, between:

17 (A) the amount to which the district is entitled
18 under Subchapters B, C, and D less the district's distribution from
19 the available school fund for that school year; and

20 (B) the district's tier one maintenance and
21 operations tax collections for that school year; or

22 (2) the district's allotment under Section 48.158 for
23 that school year.

24 SECTION 1.09. Section 822.201(b), Government Code, is
25 amended to read as follows:

26 (b) "Salary and wages" as used in Subsection (a) means:

27 (1) normal periodic payments of money for service the

1 right to which accrues on a regular basis in proportion to the
2 service performed;

3 (2) amounts by which the member's salary is reduced
4 under a salary reduction agreement authorized by Chapter 610;

5 (3) amounts that would otherwise qualify as salary and
6 wages under Subdivision (1) but are not received directly by the
7 member pursuant to a good faith, voluntary written salary reduction
8 agreement in order to finance payments to a deferred compensation
9 or tax sheltered annuity program specifically authorized by state
10 law or to finance benefit options under a cafeteria plan qualifying
11 under Section 125 of the Internal Revenue Code of 1986, if:

12 (A) the program or benefit options are made
13 available to all employees of the employer; and

14 (B) the benefit options in the cafeteria plan are
15 limited to one or more options that provide deferred compensation,
16 group health and disability insurance, group term life insurance,
17 dependent care assistance programs, or group legal services plans;

18 (4) performance pay awarded to an employee by a school
19 district as part of a total compensation plan approved by the board
20 of trustees of the district and meeting the requirements of
21 Subsection (e);

22 (5) the benefit replacement pay a person earns under
23 Subchapter H, Chapter 659, except as provided by Subsection (c);

24 (6) stipends paid to teachers in accordance with
25 former Section 21.410, 21.411, 21.412, or 21.413, Education Code;

26 (7) amounts by which the member's salary is reduced or
27 that are deducted from the member's salary as authorized by

1 Subchapter J, Chapter 659;

2 (8) a merit salary increase made under Section 51.962,
3 Education Code;

4 (9) amounts received under the relevant parts of the
5 educator excellence awards program under Subchapter O, Chapter 21,
6 Education Code, or a mentoring program under Section 21.458,
7 Education Code, that authorize compensation for service;

8 (10) salary amounts designated as health care
9 supplementation by an employee under Subchapter D, Chapter 22,
10 Education Code;

11 (11) to the extent required by Sections 3401(h) and
12 414(u)(12), Internal Revenue Code of 1986, differential wage
13 payments received by an individual from an employer on or after
14 January 1, 2009, while the individual is performing qualified
15 military service as defined by Section 414(u), Internal Revenue
16 Code of 1986; and

17 (12) increased compensation paid to an employee [~~a~~
18 ~~teacher~~] by an employer [~~a school district~~]
19 the employer [~~district~~] under:

20 (A) the teacher incentive allotment under
21 Section 48.112, Education Code;

22 (B) the teacher retention allotment under
23 Section 48.158, Education Code; or

24 (C) the support staff retention allotment under
25 Section 48.1581, Education Code.

26 SECTION 1.10. Sections 48.051(c), (c-1), (c-2), and (d),
27 Education Code, are repealed.

1 SECTION 1.11. Not later than September 1, 2026, a school
2 district or open-enrollment charter school shall redesignate a
3 teacher who holds a recognized teacher designation under Section
4 21.3521(c), Education Code, on the basis of the teacher's national
5 board certification, before the effective date of this article, to
6 reflect the teacher's nationally board certified designation under
7 Section 21.3521(c), Education Code, as amended by this article. A
8 redesignation under this section is effective beginning September
9 1, 2026.

10 SECTION 1.12. (a) Except as provided by Subsections (b) and
11 (c) of this section, this article takes effect immediately if this
12 Act receives a vote of two-thirds of all the members elected to each
13 house, as provided by Section 39, Article III, Texas Constitution.
14 If this Act does not receive the vote necessary for immediate
15 effect, this article takes effect September 1, 2025.

16 (b) Sections 48.158, 48.1581, and 48.257(b-1), Education
17 Code, as added by this article, and Section 822.201(b), Government
18 Code, as amended by this article, take effect September 1, 2025.

19 (c) Sections 48.112(c) and (d), Education Code, as amended
20 by this article, take effect September 1, 2026.

21 ARTICLE 2. EDUCATOR PREPARATION AND TEACHER RIGHTS

22 SECTION 2.01. Section 12A.004(a), Education Code, is
23 amended to read as follows:

24 (a) A local innovation plan may not provide for the
25 exemption of a district designated as a district of innovation from
26 the following provisions of this title:

27 (1) a state or federal requirement applicable to an

1 open-enrollment charter school operating under Subchapter D,
2 Chapter 12;

3 (2) Subchapters A, C, D, and E, Chapter 11, except that
4 a district may be exempt from Sections 11.1511(b)(5) and (14) and
5 Section 11.162;

6 (3) the employment of uncertified classroom teachers
7 under Section 21.0032;

8 (4) parental notification requirements under Section
9 21.057;

10 (5) state curriculum and graduation requirements
11 adopted under Chapter 28; and

12 (6) [~~4~~] academic and financial accountability and
13 sanctions under Chapters 39 and 39A.

14 SECTION 2.02. Section 19.007(g), Education Code, is amended
15 to read as follows:

16 (g) In addition to other amounts received by the district
17 under this section, the district is entitled to:

18 (1) state aid in the amount necessary to fund the
19 salary increases required by Section 19.009(d-2); and

20 (2) the preparing and retaining educators through
21 partnership program allotment under Section 48.157.

22 SECTION 2.03. Section 21.001, Education Code, is amended by
23 adding Subdivision (3-b) to read as follows:

24 (3-b) "Teacher of record" means a person employed by a
25 school district who teaches the majority of the instructional day
26 in an academic instructional setting and is responsible for
27 evaluating student achievement and assigning grades.

1 SECTION 2.04. Subchapter A, Chapter 21, Education Code, is
2 amended by adding Sections 21.0032 and 21.0033 to read as follows:

3 Sec. 21.0032. EMPLOYMENT OF UNCERTIFIED CLASSROOM
4 TEACHERS. (a) A school district may not employ as a teacher of
5 record for a course in the foundation curriculum under Section
6 28.002 a person who does not hold an appropriate certificate or
7 permit required by the State Board for Educator Certification under
8 Subchapter B.

9 (a-1) Notwithstanding Subsection (a), on the receipt and
10 approval of a plan submitted by a school district to the
11 commissioner that provides a reasonable timeline and strategy to
12 comply with that subsection before the beginning of the 2029-2030
13 school year, the commissioner may allow the district to delay
14 implementation of the requirement of that subsection. This
15 subsection expires September 1, 2030.

16 (a-2) Notwithstanding Subsection (a) and Section 12A.004, a
17 school district that has adopted a local innovation plan under
18 Chapter 12A for the 2026-2027 school year that exempts the district
19 from the applicable teacher certification requirements under
20 Section 21.003 may employ as a teacher of record for a course other
21 than a reading language arts or mathematics course in a grade level
22 above grade five a person who does not hold an appropriate
23 certificate or permit required by the State Board for Educator
24 Certification under Subchapter B. This subsection expires
25 September 1, 2027.

26 (b) This section does not preclude a school district from:

27 (1) receiving a waiver under Section 7.056; or

1 (2) issuing a school district teaching permit under
2 Section 21.055.

3 Sec. 21.0033. TEACHER CERTIFICATION INCENTIVE. (a) From
4 money appropriated or otherwise available for the purpose, the
5 agency shall provide to each school district a one-time payment of
6 \$1,000 for each classroom teacher employed by the district who:

7 (1) was hired for the 2022-2023 or 2023-2024 school
8 year as a first-year teacher;

9 (2) was uncertified on January 1, 2025;

10 (3) earned a standard certificate under Subchapter B
11 by the end of the 2026-2027 school year; and

12 (4) was continuously employed by the district since
13 the school year described by Subdivision (1).

14 (b) This section expires September 1, 2028.

15 SECTION 2.05. Section 21.041, Education Code, is amended by
16 adding Subsection (e) to read as follows:

17 (e) A rule proposed by the board under this section relating
18 to educator preparation is not subject to Section 2001.0045,
19 Government Code.

20 SECTION 2.06. Subchapter B, Chapter 21, Education Code, is
21 amended by adding Section 21.0412 to read as follows:

22 Sec. 21.0412. TYPES OF TEACHING CERTIFICATES. (a) In
23 proposing rules specifying the types of teaching certificates to be
24 issued under this subchapter, the board shall provide for a
25 candidate to be issued:

26 (1) a standard certificate if the candidate satisfies:

27 (A) all traditional teacher preparation

1 requirements under Section 21.04421; or

2 (B) the applicable alternative teacher
3 preparation requirements under Section 21.04423;

4 (2) an enhanced standard certificate if the candidate
5 satisfies all requirements of the teacher residency preparation
6 route established under Section 21.04422;

7 (3) an intern with preservice experience certificate,
8 which expires one year after issuance unless modified by the board,
9 if the candidate has yet to satisfy all requirements for
10 certification for a preservice alternative teacher preparation
11 route established under Section 21.04423(1) but has completed a
12 sufficient number of preservice practice hours to serve as a
13 teacher of record; and

14 (4) an intern certificate, which expires two years
15 after issuance unless modified by the board, if the candidate has
16 yet to satisfy all requirements for certification for an
17 alternative teacher preparation route established under Section
18 21.04423(2) but has met all board requirements to serve as a teacher
19 of record.

20 (b) Rules proposed under Subsection (a)(2) may not require a
21 candidate to pass a pedagogy examination unless the examination
22 tests subject-specific content appropriate for the grade level and
23 subject area for which the candidate seeks certification.

24 (c) A candidate for a certification described by Subsection
25 (a) must meet all other requirements imposed under this subchapter
26 or board rule applicable to the candidate's certification.

27 (d) This section does not prohibit the board from proposing

1 rules that provide for certifications other than the certifications
2 described by Subsection (a), including specialized certifications
3 and other types and classes of certifications.

4 SECTION 2.07. Section 21.044, Education Code, is amended by
5 adding Subsections (i) and (j) to read as follows:

6 (i) An educator preparation program participating in a
7 Preparing and Retaining Educators through Partnership Preservice
8 Program under Subchapter R shall:

9 (1) incorporate the applicable instructional
10 materials and training developed under Section 21.067, as
11 determined by the board;

12 (2) if applicable for the grade and subject area for
13 which a teacher candidate enrolled in the educator preparation
14 program is seeking certification, incorporate the literacy
15 achievement academies and mathematics achievement academies
16 established under Sections 21.4552 and 21.4553; and

17 (3) ensure that instruction and training described by
18 Subdivisions (1) and (2) are delivered by a person with appropriate
19 training who has successfully completed a certification related to
20 that training offered by the agency.

21 (j) For purposes of Subsection (i)(2), the board by rule
22 shall designate the components of a literacy achievement academy or
23 mathematics achievement academy under Section 21.4552 or 21.4553,
24 as applicable, that may be completed after receiving an intern with
25 preservice experience certificate under Section 21.0412.

26 SECTION 2.08. Subchapter B, Chapter 21, Education Code, is
27 amended by adding Sections 21.04421, 21.04422, and 21.04423 to read

1 as follows:

2 Sec. 21.04421. TRADITIONAL TEACHER PREPARATION. (a) In
3 proposing rules under this subchapter regarding training
4 requirements for a candidate seeking certification through a
5 traditional teacher preparation route in which a candidate may
6 concurrently receive an undergraduate or master's degree and a
7 certification to teach a subject area at a particular grade level,
8 the board shall require the candidate to complete substantial
9 preservice practice in a prekindergarten through grade 12
10 classroom.

11 (b) The rules proposed under Subsection (a) must require
12 training to be provided synchronously. The board may approve
13 components of the training to be delivered asynchronously on
14 application by an educator preparation program.

15 Sec. 21.04422. TEACHER RESIDENCY PREPARATION. (a) The
16 board shall propose rules under this subchapter to create a teacher
17 residency preparation route.

18 (b) In proposing rules for a teacher residency preparation
19 route under this section, the board must require that the program:

20 (1) use research-based best practices for recruiting
21 and admitting candidates into the program;

22 (2) integrate course work, classroom practice, formal
23 observation, and feedback;

24 (3) require a candidate to receive preservice practice
25 in a prekindergarten through grade 12 classroom for at least one
26 full school year;

27 (4) use multiple assessments to measure a candidate's

1 progress; and

2 (5) provide training synchronously, unless the
3 educator preparation program applies to and receives approval from
4 the board for an exception allowing the program to provide training
5 asynchronously.

6 Sec. 21.04423. ALTERNATIVE TEACHER PREPARATION. In
7 proposing rules under this subchapter regarding training
8 requirements for a candidate who has previously earned a degree and
9 is seeking certification through an alternative teacher
10 preparation route, the board shall establish:

11 (1) a preservice alternative teacher preparation
12 route that:

13 (A) requires the candidate to complete
14 substantial preservice practice in a prekindergarten through grade
15 12 classroom, which may include time spent serving as a
16 paraprofessional; and

17 (B) provides training synchronously, unless the
18 educator preparation program applies to and receives approval from
19 the board for an exception allowing the program to provide training
20 asynchronously; and

21 (2) an alternative teacher preparation route that
22 allows for flexibility in how a candidate may demonstrate
23 proficiency for certification.

24 SECTION 2.09. Section [21.0443](#), Education Code, is amended
25 to read as follows:

26 Sec. 21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND
27 RENEWAL. (a) The board shall propose rules to establish standards

1 to govern the approval or renewal of approval of:

2 (1) educator preparation programs; [~~and~~]

3 (2) the teacher preparation routes established under
4 Sections 21.04421, 21.04422, and 21.04423; and

5 (3) certification fields authorized to be offered by
6 an educator preparation program.

7 (a-1) The board may review an educator preparation
8 program's curriculum:

9 (1) before the approval or renewal of approval of the
10 program; and

11 (2) at any time after the approval or renewal of the
12 approval of the program to ensure the program remains eligible for
13 approval by demonstrating that any changes to curriculum
14 requirements proposed by the board since the most recent review
15 have been incorporated into the curriculum.

16 (b) To be eligible for approval or renewal of approval, an
17 educator preparation program must:

18 (1) incorporate proactive instructional planning
19 techniques throughout coursework [~~course work~~] and across content
20 areas using a framework that:

21 (A) provides flexibility in the ways:

22 (i) information is presented;

23 (ii) students respond or demonstrate
24 knowledge and skills; and

25 (iii) students are engaged;

26 (B) reduces barriers in instruction;

27 (C) provides appropriate accommodations,

1 supports, and challenges; and

2 (D) maintains high achievement expectations for
3 all students, including students with disabilities and students of
4 limited English proficiency;

5 (2) integrate inclusive practices for all students,
6 including students with disabilities, and evidence-based
7 instruction and intervention strategies throughout coursework
8 [~~course work~~], clinical experience, and student teaching;

9 (3) ensure that the program complies in the same
10 manner as if the program were a school district with:

11 (A) the prohibitions and requirements under
12 Sections 28.0022(a)(1)-(4) regarding program instructional
13 personnel and coursework;

14 (B) the prohibitions under Section 28.0022(c)
15 regarding the acceptance of private funds; and

16 (C) the prohibitions under Section 28.0022(d)
17 regarding the punishment of students;

18 (4) if applicable, meet the requirements of Section
19 21.044(i);

20 (5) adequately prepare candidates for educator
21 certification; and

22 (6) [~~4~~] meet the standards and requirements of the
23 board.

24 (b-1) Nothing in Subsection (b)(3) may be construed as
25 limiting instruction in the essential knowledge and skills adopted
26 under Subchapter A, Chapter 28.

27 (b-2) Subsection (b)(3) applies only to coursework offered

1 by an educator preparation program for purposes of preparing a
2 candidate to meet educator preparation and certification
3 requirements. Subsection (b)(3) does not apply to other coursework
4 offered by an entity providing an educator preparation program that
5 is not included in the educator preparation program's requirements.

6 (c) The board shall require that each educator preparation
7 program be reviewed for renewal of approval at least every five
8 years. The board may require each educator preparation program to
9 be reviewed for renewal of approval at least annually. The board
10 shall adopt an evaluation process to be used in reviewing an
11 educator preparation program for renewal of approval.

12 (d) In adopting the evaluation process under Subsection
13 (c), the board shall consider including:

14 (1) quality indicators that reflect effective program
15 practices; and

16 (2) measures that provide for the observation of
17 program practices to ensure program quality.

18 SECTION 2.10. Section 21.049, Education Code, is amended to
19 read as follows:

20 Sec. 21.049. ALTERNATIVE EDUCATOR PREPARATION PROGRAMS
21 [CERTIFICATION]. (a) To provide a continuing additional source of
22 qualified educators, the board shall propose rules providing that
23 [for] educator certification programs may be provided by an
24 institution of higher education or another entity [as an
25 alternative to traditional educator preparation programs]. The
26 rules may not provide that a person may be certified under this
27 section only if there is a demonstrated shortage of educators in a

1 school district or subject area.

2 (b) The board may not require a person employed as a teacher
3 in an alternative education program under Section 37.008 or a
4 juvenile justice alternative education program under Section
5 37.011 for at least three years to complete an alternative educator
6 preparation [~~certification~~] program adopted under this section
7 before taking the appropriate certification examination.

8 SECTION 2.11. Sections 21.055(a), (b), and (c), Education
9 Code, are amended to read as follows:

10 (a) As provided by this section, a school district may issue
11 a school district teaching permit and employ as a teacher of record
12 a person who does not hold a teaching certificate issued by the
13 board on approval by the district's board of trustees.

14 (b) To be eligible for a school district teaching permit
15 under this section, a person must:

16 (1) hold a baccalaureate degree; or

17 (2) have served at or been employed by the district as
18 a paraprofessional for not less than 180 days during the preceding
19 calendar year and be:

20 (A) currently enrolled in a postsecondary
21 program that could lead to a baccalaureate degree; and

22 (B) on track to earn a baccalaureate degree and
23 receive a probationary certificate not later than the third
24 anniversary of the date the person receives a school district
25 teaching permit under this section.

26 (c) Promptly after employing a person described by
27 Subsection (b)(1) under this section, a school district shall send

1 to the commissioner a written statement identifying the person, the
2 person's qualifications as a teacher, and the subject or class the
3 person will teach. The person may teach the subject or class
4 pending action by the commissioner.

5 SECTION 2.12. Section [21.057](#), Education Code, is amended by
6 adding Subsection (f) to read as follows:

7 (f) If the agency has developed a model notice for purposes
8 of this section, the superintendent must use that model to provide
9 the notice required under this section.

10 SECTION 2.13. Subchapter [B](#), Chapter [21](#), Education Code, is
11 amended by adding Section 21.067 to read as follows:

12 Sec. 21.067. EDUCATOR PREPARATION MATERIALS AND TRAINING.

13 (a) The commissioner shall develop and make available:

14 (1) instructional materials for use in educator
15 preparation programs under this subchapter; and

16 (2) training for faculty responsible for preparing
17 educator candidates.

18 (b) The materials and training developed under Subsection
19 (a) must:

20 (1) be research-based;

21 (2) support the development of proficiency in the
22 knowledge and skills specified by rules proposed under Section
23 [21.044](#)(a)(1); and

24 (3) allow for an educator candidate to demonstrate the
25 candidate's proficiency, including proficiency in the knowledge
26 and skills described by Subdivision (2).

27 SECTION 2.14. Section [21.402](#), Education Code, is amended by

1 adding Subsections (f-1), (f-2), (f-3), and (f-4) to read as
2 follows:

3 (f-1) A school district must pay to a classroom teacher with
4 zero years of experience who holds a certificate under Section
5 21.0412(a)(1), (2), or (3) a minimum salary that is greater than the
6 minimum salary paid to a classroom teacher with zero years of
7 experience who does not hold a certificate under Section
8 21.0412(a)(1), (2), or (3).

9 (f-2) The board of trustees of a school district may adopt
10 minimum salaries to satisfy the requirements of Subsection (f-1) as
11 follows:

12 (1) for a classroom teacher who holds a standard
13 certificate or intern with preservice experience certificate under
14 Section 21.0412(a)(1) or (3), \$3,000; and

15 (2) for a classroom teacher who holds an enhanced
16 standard certificate under Section 21.0412(a)(2), \$6,000.

17 (f-3) Subsection (f-1) does not apply to a stipend or other
18 form of compensation not included in a classroom teacher's minimum
19 salary under this section.

20 (f-4) A school district may not adopt a salary schedule that
21 differentiates classroom teacher salaries based solely on a
22 teacher's certification pathway for teachers who have five or more
23 years of teaching experience.

24 SECTION 2.15. Section [21.4552\(f\)](#), Education Code, is
25 amended to read as follows:

26 (f) From money appropriated or otherwise available for the
27 purpose, including an allotment under Section [48.108](#), a school

1 district shall provide to an educator preparation program for each
2 teacher enrolled in the educator preparation program who holds an
3 intern with preservice experience certificate under Section
4 21.0412(a)(3) and completes a literacy achievement academy under
5 this section while employed by the district a one-time payment of
6 \$1,000 or another amount set by the agency [~~This section expires~~
7 ~~September 1, 2027~~].

8 SECTION 2.16. Section 21.4553(f), Education Code, is
9 amended to read as follows:

10 (f) From money appropriated or otherwise available for the
11 purpose, including an allotment under Section 48.108, a school
12 district shall provide to an educator preparation program for each
13 teacher enrolled in the educator preparation program who holds an
14 intern with preservice experience certificate under Section
15 21.0412(a)(3) and completes a mathematics achievement academy
16 under this section while employed by the district a one-time
17 payment of \$500 or another amount set by the agency [~~This section~~
18 ~~expires September 1, 2027~~].

19 SECTION 2.17. Chapter 21, Education Code, is amended by
20 adding Subchapter R to read as follows:

21 SUBCHAPTER R. PREPARING AND RETAINING EDUCATORS THROUGH
22 PARTNERSHIP PROGRAMS

23 Sec. 21.901. DEFINITIONS. In this subchapter:

24 (1) "Alternative partnership preservice program"
25 means the Preparing and Retaining Educators through Partnership
26 Alternative Preservice Program established under Section 21.905.

27 (2) "Board" means the State Board for Educator

1 Certification.

2 (3) "Cooperating teacher" means a classroom teacher
3 who:

4 (A) has at least three full school years of
5 teaching experience with a superior record of assisting students in
6 achieving improvement in student performance;

7 (B) is employed as a teacher of record by a school
8 district or open-enrollment charter school participating in a
9 partnership preservice program or grow your own partnership program
10 under this subchapter and paired with one or more teacher
11 candidates, students, or employees who are participating in a
12 program under this subchapter; and

13 (C) provides coaching in the teacher's classroom
14 to one or more teacher candidates, students, or employees
15 participating in a program under this subchapter.

16 (4) "Grow your own partnership program" means the
17 Preparing and Retaining Educators through Partnership Grow Your Own
18 Partnership Program established under Section 21.906.

19 (5) "Mentor teacher" means a mentor teacher as
20 described by Section [21.458](#).

21 (6) "Partnership preservice program" means a
22 Preparing and Retaining Educators through Partnership Preservice
23 Program established under Section 21.902.

24 (7) "Residency partnership preservice program" means
25 the Preparing and Retaining Educators through Partnership
26 Residency Preservice Program established under Section 21.904.

27 (8) "Teacher candidate" means a person enrolled in an

1 educator preparation program participating in a partnership
2 preservice program.

3 (9) "Traditional partnership preservice program"
4 means the Preparing and Retaining Educators through Partnership
5 Traditional Preservice Program established under Section 21.903.

6 Sec. 21.902. PREPARING AND RETAINING EDUCATORS THROUGH
7 PARTNERSHIP PRESERVICE PROGRAMS. (a) The commissioner shall
8 establish Preparing and Retaining Educators through Partnership
9 Preservice Programs to enable qualified educator preparation
10 programs, as determined by the commissioner, to form partnerships
11 with school districts and open-enrollment charter schools to
12 provide preservice practice opportunities in a prekindergarten
13 through grade 12 classroom for teacher candidates at the district
14 or school through the traditional partnership preservice program,
15 the residency partnership preservice program, or the alternative
16 partnership preservice program.

17 (b) A partnership preservice program must be designed to:

18 (1) allow teacher candidates to receive field-based
19 experience working with cooperating teachers in prekindergarten
20 through grade 12 classrooms; and

21 (2) gradually increase the amount of time a teacher
22 candidate spends engaging in instructional responsibilities,
23 including observation, co-teaching, and lead-teaching
24 responsibilities.

25 (c) A school district or open-enrollment charter school
26 participating in a partnership preservice program shall:

27 (1) enter into a written agreement with an approved

1 educator preparation program to:

2 (A) provide a teacher candidate with clinical
3 teaching opportunities at the district or school in the subject
4 area and grade level for which the candidate seeks certification;
5 and

6 (B) pair the teacher candidate with a cooperating
7 teacher who has successfully completed a training program for
8 cooperating teachers that, if required by the agency, must be
9 established or adopted by the agency;

10 (2) use money received under Section 48.157 only to
11 implement the partnership preservice program;

12 (3) ensure that a teacher candidate is mentored by a
13 mentor teacher who has completed mentorship training under Section
14 21.907 for the candidate's first two years as a teacher of record
15 after completing a partnership preservice program; and

16 (4) provide any information required by the agency
17 regarding the district's or school's implementation of a
18 partnership preservice program.

19 (d) A school district or open-enrollment charter school may
20 only pair a teacher candidate with a cooperating teacher who agrees
21 to participate in that role in a partnership preservice program at
22 the district or school.

23 (e) A teacher candidate participating in a partnership
24 preservice program may not serve:

25 (1) as a teacher of record; or

26 (2) except as provided by Subsection (f), in a
27 position in which the student or employee has the primary or sole

1 responsibility of providing instruction or supervision to
2 students.

3 (f) A teacher candidate participating in a partnership
4 preservice program may serve in a position described by Subsection
5 (e)(2) for the limited purpose of gaining experience in the
6 position. The teacher candidate's amount of time serving in that
7 position may not exceed the amount of time during which the teacher
8 of record for the students has the primary or sole responsibility of
9 providing instruction or supervision to those students.

10 (g) To be qualified to participate in a partnership
11 preservice program, an educator preparation program must meet the
12 requirements under Section [21.044\(i\)](#).

13 Sec. 21.903. PREPARING AND RETAINING EDUCATORS THROUGH
14 PARTNERSHIP TRADITIONAL PRESERVICE PROGRAM. (a) The commissioner
15 shall establish the Preparing and Retaining Educators through
16 Partnership Traditional Preservice Program as a partnership
17 preservice program to enable qualified educator preparation
18 programs, as determined by the commissioner, that meet the
19 traditional teacher preparation requirements under Section
20 21.04421 to form partnerships with school districts or
21 open-enrollment charter schools to help prepare candidates for a
22 standard certificate.

23 (b) The program must be designed to:

24 (1) meet the requirements of a partnership preservice
25 program under Section 21.902; and

26 (2) allow a teacher candidate to satisfy the
27 traditional teacher preparation requirements under Section

1 21.04421.

2 (c) A school district or open-enrollment charter school
3 participating in the traditional partnership preservice program
4 shall use money received under Section 48.157(b)(1) to provide
5 compensation to:

6 (1) teacher candidates for preservice practice hours
7 at the district or school in an amount of at least \$3,000 for
8 salary; and

9 (2) cooperating teachers who are paired with teacher
10 candidates at the district or school in an amount of at least
11 \$1,000.

12 (d) In addition to the amount provided by Subsection (c)(1),
13 a school district or open-enrollment charter school shall provide
14 compensation to teacher candidates in any amount above the amount
15 provided by that subdivision for salary using money received under
16 Section 48.157 or from any other available source.

17 Sec. 21.904. PREPARING AND RETAINING EDUCATORS THROUGH
18 PARTNERSHIP RESIDENCY PRESERVICE PROGRAM. (a) The commissioner
19 shall establish the Preparing and Retaining Educators through
20 Partnership Residency Preservice Program as a partnership
21 preservice program to enable qualified educator preparation
22 programs, as determined by the commissioner, that meet the teacher
23 residency preparation requirements under Section 21.04422 to form
24 partnerships with school districts or open-enrollment charter
25 schools to help prepare candidates for an enhanced standard
26 certificate.

27 (b) The program must be designed to:

1 (1) meet the requirements of a partnership preservice
2 program under Section 21.902; and

3 (2) allow a teacher candidate to satisfy the teacher
4 residency preparation requirements under Section 21.04422.

5 (c) A school district or open-enrollment charter school
6 participating in the residency partnership preservice program
7 shall use money received under Section 48.157(b)(2) to provide
8 compensation to:

9 (1) teacher candidates for preservice practice hours
10 at the district or school in an amount of at least \$10,000 for
11 salary; and

12 (2) cooperating teachers who are paired with teacher
13 candidates at the district or school in an amount of at least
14 \$2,000.

15 (d) In addition to the amount provided by Subsection (c)(1),
16 a school district or open-enrollment charter school shall provide
17 compensation to teacher candidates in an amount of at least \$10,000
18 for salary using money received under Section 48.157 or from any
19 other available source.

20 (e) An educator preparation program is not required to
21 incorporate the instruction described by Section 21.044(i) to be
22 eligible to participate in a residency partnership preservice
23 program until the date on which rules proposed by the State Board
24 for Educator Certification to implement that subsection take
25 effect. This subsection expires September 1, 2028.

26 Sec. 21.905. PREPARING AND RETAINING EDUCATORS THROUGH
27 PARTNERSHIP ALTERNATIVE PRESERVICE PROGRAM. (a) The commissioner

1 shall establish the Preparing and Retaining Educators through
2 Partnership Alternative Preservice Program as a partnership
3 preservice program to enable qualified educator preparation
4 programs, as determined by the commissioner, that meet the
5 preservice alternative teacher preparation requirements under
6 Section 21.04423 to form partnerships with school districts or
7 open-enrollment charter schools to help prepare candidates for an
8 intern with preservice experience certificate or standard
9 certificate.

10 (b) The program must be designed to:

11 (1) meet the requirements of a partnership preservice
12 program under Section 21.902; and

13 (2) allow a teacher candidate to satisfy the
14 preservice alternative teacher preparation requirements under
15 Section 21.04423(1).

16 (c) A school district or open-enrollment charter school
17 participating in the alternative partnership preservice program
18 shall use money received under Section 48.157(b)(3) to provide
19 compensation to:

20 (1) teacher candidates for preservice practice hours
21 at the district or school in an amount of at least \$3,000 for
22 salary; and

23 (2) cooperating teachers who are paired with teacher
24 candidates at the district or school in an amount of at least
25 \$1,000.

26 (d) In addition to the amount provided by Subsection (c)(1),
27 a school district or open-enrollment charter school shall provide

1 compensation to teacher candidates in any amount above the amount
2 provided by that subdivision for salary using money received under
3 Section 48.157 or from any other available source.

4 Sec. 21.906. PREPARING AND RETAINING EDUCATORS THROUGH
5 PARTNERSHIP GROW YOUR OWN PARTNERSHIP PROGRAM. (a) The
6 commissioner shall establish the Preparing and Retaining Educators
7 through Partnership Grow Your Own Partnership Program to enable
8 qualified institutions of higher education and educator
9 preparation programs, as determined by the commissioner, to form
10 partnerships with school districts or open-enrollment charter
11 schools to establish innovative staffing pipelines to ensure the
12 availability of high-quality classroom teachers to benefit future
13 district or school students.

14 (b) The grow your own partnership program must be designed
15 to form partnerships that support:

16 (1) high school students in completing career and
17 technical education courses that help prepare the students to
18 become classroom teachers; or

19 (2) district or school employees who do not hold a
20 teaching certificate in completing a bachelor's degree to enable
21 the person to become a classroom teacher while employed by the
22 district or school.

23 (c) A school district or open-enrollment charter school may
24 participate in a grow your own partnership program only if the
25 district or school has been approved to participate in a
26 partnership preservice program.

27 (d) A school district or open-enrollment charter school

1 participating in the grow your own partnership program shall:

2 (1) for a partnership described by Subsection (b)(1),
3 provide:

4 (A) authentic opportunities, which may be paid or
5 unpaid, for students to practice teaching under the supervision of
6 one or more cooperating teachers; and

7 (B) guidance and other transition supports as a
8 student begins an undergraduate degree program that offers a route
9 to teacher preparation;

10 (2) for a partnership described by Subsection (b)(2),
11 provide for a district or school employee:

12 (A) scheduled release time to support the
13 completion of a bachelor's degree;

14 (B) authentic opportunities to practice teaching
15 under the supervision of one or more cooperating teachers;

16 (C) on-the-job training aligned with the
17 standards for educator certification established by the board;

18 (D) a job assignment that includes instructional
19 support for students enrolled in the district or school; and

20 (E) guidance and other transition supports as the
21 employee begins a program to satisfy the teacher preparation
22 requirements under Section 21.04421, 21.04422, or 21.04423;

23 (3) enter into a written agreement with an institution
24 of higher education or educator preparation program;

25 (4) require an employee participating in a partnership
26 described by Subsection (b)(2) to, as a condition for
27 participation, earn a bachelor's degree and enroll in an educator

1 preparation program within three years of beginning participation
2 in the partnership; and

3 (5) provide any information required by the agency
4 regarding the district's or school's implementation of the grow
5 your own partnership program.

6 (e) A school district or open-enrollment charter school may
7 use money received under Section 48.157 to implement the grow your
8 own partnership program and pay tuition and fees for students or
9 employees participating in the program.

10 (f) A school district or open-enrollment charter school may
11 only pair a student or employee participating in the program with a
12 cooperating teacher who agrees to participate in that role in a grow
13 your own partnership program at the district or school.

14 (g) A student or employee participating in the program may
15 not serve:

16 (1) as a teacher of record; or

17 (2) except as provided by Subsection (h), in a
18 position in which the student or employee has the primary or sole
19 responsibility of providing instruction or supervision to
20 students.

21 (h) A student or employee participating in the program may
22 serve in a position described by Subsection (g)(2) for the limited
23 purpose of gaining experience in the position. The student's or
24 employee's amount of time serving in that position may not exceed
25 the amount of time during which the teacher of record for the
26 students has the primary or sole responsibility of providing
27 instruction or supervision to those students.

1 Sec. 21.907. PREPARING AND RETAINING EDUCATORS THROUGH
2 PARTNERSHIP MENTORSHIP PROGRAM. (a) The commissioner shall
3 establish a preparing and retaining educators through partnership
4 mentorship program through which participating school districts or
5 open-enrollment charter schools implement a mentoring program that
6 meets the requirements of Section 21.458 for classroom teachers who
7 have less than two years of teaching experience.

8 (b) A school district or open-enrollment charter school
9 participating in the program must require a classroom teacher who
10 serves as a mentor teacher to annually complete a training program
11 for mentor teachers established or adopted by the agency.

12 (c) A school district or open-enrollment charter school
13 shall use money received under Section 48.157(b)(5) to provide
14 stipends for mentor teachers in an amount of at least \$1,000.

15 (d) If any money remains after providing a stipend to mentor
16 teachers in accordance with Subsection (c), the district may use
17 that money to provide:

18 (1) scheduled release time for mentor teachers and
19 classroom teachers being mentored to meet and engage in mentoring
20 activities; and

21 (2) support for mentor teachers through mentor
22 training and strategic staffing training.

23 Sec. 21.908. EDUCATOR PREPARATION PROGRAM SUPPORT. The
24 agency shall develop and maintain a program to assist educator
25 preparation programs in implementing this subchapter.

26 Sec. 21.909. PROGRAM STANDARDS AND PERFORMANCE GOALS. (a)
27 The commissioner shall adopt rules establishing:

1 (1) standards for partnership programs established
2 under this subchapter, including eligibility criteria for educator
3 preparation programs and institutions of higher education to
4 participate in the partnership programs; and

5 (2) performance goals for partnership programs
6 established under this subchapter.

7 (b) The commissioner shall periodically review the
8 performance of each partnership program established under this
9 subchapter to ensure the program meets the standards and
10 performance goals established under Subsection (a).

11 (c) If, in reviewing a partnership program under Subsection
12 (b), the commissioner determines that the program has failed to
13 meet a performance goal established under Subsection (a), the
14 commissioner shall prohibit the entity that failed to meet the
15 performance goal from participating in a partnership program under
16 this subchapter for a period not to exceed five years.

17 Sec. 21.910. AUTHORITY TO ACCEPT CERTAIN MONEY. The
18 commissioner may solicit and accept gifts, grants, and donations
19 from public and private entities to use for the purposes of this
20 subchapter.

21 Sec. 21.911. RULES. The commissioner shall adopt rules as
22 necessary to implement this subchapter.

23 SECTION 2.18. Subchapter D, Chapter 48, Education Code, is
24 amended by adding Section 48.157 to read as follows:

25 Sec. 48.157. PREPARING AND RETAINING EDUCATORS THROUGH
26 PARTNERSHIP PROGRAM ALLOTMENT. (a) In this section, "teacher
27 candidate" has the meaning assigned by Section 21.901.

1 (b) Subject to Subsections (f) and (g), a school district is
2 entitled to an annual allotment equal to each of the following
3 applicable amounts:

4 (1) for each teacher candidate completing preservice
5 practice hours at the district under Section 21.903, the sum of:

6 (A) \$10,000; and

7 (B) the high needs and rural factor, as
8 determined under Subsection (c), multiplied by \$2,000;

9 (2) for each teacher candidate completing preservice
10 practice hours at the district under Section 21.904, the sum of:

11 (A) \$24,000; and

12 (B) the high needs and rural factor, as
13 determined under Subsection (c), multiplied by \$3,000;

14 (3) for each teacher candidate completing preservice
15 practice hours at the district under Section 21.905, the sum of:

16 (A) \$10,000; and

17 (B) the high needs and rural factor, as
18 determined under Subsection (c), multiplied by \$2,000;

19 (4) for each district employee participating in a
20 partnership described by Section 21.906(b)(2), the sum of:

21 (A) \$8,000; and

22 (B) the high needs and rural factor, as
23 determined under Subsection (c), multiplied by \$1,000; and

24 (5) for each classroom teacher being mentored under
25 the preparing and retaining educators through partnership
26 mentorship program established under Section 21.907, \$3,000.

27 (c) The high needs and rural factor is the lesser of:

1 (1) the average of the point value assigned to each
2 student at a district campus under Sections 48.112(e) and (f); or

3 (2) 4.0.

4 (d) In addition to the funding under Subsection (b), a
5 district is entitled to an additional \$2,000 for each teacher
6 candidate described by Subsection (b)(1), (2), or (3) who is a
7 candidate for certification in bilingual education or special
8 education.

9 (e) The Texas School for the Deaf and the Texas School for
10 the Blind and Visually Impaired are entitled to an allotment under
11 this section. If the commissioner determines that assigning point
12 values under Subsection (c) to students enrolled in the Texas
13 School for the Deaf or the Texas School for the Blind and Visually
14 Impaired is impractical, the commissioner may use the average point
15 value assigned for those students' home districts for purposes of
16 calculating the high needs and rural factor.

17 (f) Unless a greater number of individuals is provided for
18 by appropriation for that school year, a school district may
19 receive an allotment for a school year for not more than:

20 (1) except as provided by Subsection (g), 40
21 individuals under each of Subsections (b)(2), (4), and (5); and

22 (2) a total of 80 individuals under Subsections (b)(1)
23 and (3).

24 (g) If more than 40 individuals are eligible to receive an
25 allotment under Subsection (b)(2) for a school district, the
26 district is entitled to an allotment under Subsection (b)(1) for
27 those individuals, subject to the limitation under Subsection

1 (f)(2).

2 (h) For purposes of offsetting tuition, fees, and
3 administrative costs, using money to which a school district is
4 otherwise entitled under Subsection (b), the commissioner shall
5 provide to a teacher candidate's educator preparation program each
6 of the following applicable amounts and reduce the district's
7 allotment under that subsection accordingly:

8 (1) \$5,000 for each teacher candidate who completed a
9 partnership preservice program under Section 21.903 who obtains a
10 standard certificate and has completed one year of employment with
11 the district;

12 (2) \$10,000 for each teacher candidate who completed a
13 partnership preservice program under Section 21.904 who obtains an
14 enhanced standard certificate and has completed one year of
15 employment with the district; and

16 (3) \$2,500 for each teacher candidate participating in
17 the alternative partnership preservice program under Section
18 21.905 who holds an intern with preservice experience certificate,
19 and an additional \$2,500 for each teacher candidate who completes
20 the alternative partnership preservice program and obtains a
21 standard certificate under Section 21.0412.

22 (i) An institution of higher education that operates an
23 educator preparation program that receives money under Subsection
24 (h) must spend not less than 85 percent of the money received on the
25 educator preparation program for which the money was received.

26 (j) The agency shall only provide:

27 (1) an initial payment of \$4,000 of the money the

1 school district is entitled to receive under Subsection (b)(1) for
2 a teacher candidate until the teacher candidate successfully
3 completes the requirements of a partnership preservice program
4 under Section 21.903 by the deadline established by the agency;

5 (2) an initial payment of \$12,000 of the money the
6 school district is entitled to receive under Subsection (b)(2) for
7 a teacher candidate until the teacher candidate successfully
8 completes the requirements of a partnership preservice program
9 under Section 21.904 by the deadline established by the agency;

10 (3) an initial payment of \$4,000 of the money the
11 school district is entitled to receive under Subsection (b)(3) for
12 a teacher candidate until the teacher candidate successfully
13 completes the requirements of an alternative partnership
14 preservice program under Section 21.905 by the deadline established
15 by the agency and issuance of an intern with preservice experience
16 certificate; and

17 (4) 50 percent of the money the school district is
18 entitled to receive under Subsection (b)(4) for a district employee
19 on the employee's successful completion of a bachelor's degree by
20 the deadline established by the agency.

21 SECTION 2.19. Subchapter G, Chapter 48, Education Code, is
22 amended by adding Section 48.310 to read as follows:

23 Sec. 48.310. ALLOTMENT FOR COMPLETION OF TEACHER LITERACY
24 OR MATHEMATICS ACHIEVEMENT ACADEMIES. An educator preparation
25 program participating in a Preparing and Retaining Educators
26 through Partnership Preservice Program under Section 21.902,
27 21.903, 21.904, or 21.905 is entitled to an annual allotment for

1 each teacher candidate who completes a literacy achievement academy
2 or mathematics achievement academy under Section 21.4552 or 21.4553
3 approved by the agency for the purpose in the amount of:

4 (1) \$1,000, or a greater amount set by appropriation
5 for that school year, for the completion of a literacy achievement
6 academy; or

7 (2) \$500, or a greater amount set by appropriation for
8 that school year, for the completion of a mathematics achievement
9 academy.

10 SECTION 2.20. (a) The following provisions of the
11 Education Code are repealed:

12 (1) Section 21.051(a); and

13 (2) Subchapter Q, Chapter 21.

14 (b) Effective September 1, 2026, Section 48.114, Education
15 Code, is repealed.

16 (c) Section 825.4092(f), Government Code, is repealed.

17 SECTION 2.21. Section 12A.004(a), Education Code, as
18 amended by this article, applies to each local innovation plan
19 adopted under Chapter 12A, Education Code, regardless of whether
20 the plan was adopted before, on, or after the effective date of this
21 article. A local innovation plan adopted or renewed before the
22 effective date of this article must comply with Section 12A.004(a),
23 Education Code, as amended by this article, not later than
24 September 1, 2026.

25 SECTION 2.22. (a) Except as otherwise provided by
26 Subsection (b) of this section, this article applies beginning with
27 the 2025-2026 school year.

1 (b) Section 21.0032, Education Code, as added by this
2 article, and Section 21.402, Education Code, as amended by this
3 article, apply beginning with the 2026-2027 school year.

4 SECTION 2.23. (a) Sections 48.157 and 48.310, Education
5 Code, as added by this article, take effect September 1, 2026.

6 (b) Except as provided by Subsection (a) of this section and
7 as otherwise provided by this Act, this article takes effect
8 immediately if this Act receives a vote of two-thirds of all the
9 members elected to each house, as provided by Section 39, Article
10 III, Texas Constitution. If this Act does not receive the vote
11 necessary for immediate effect, this article takes effect September
12 1, 2025.

13 ARTICLE 3. RIGHTS OF PUBLIC SCHOOL EDUCATORS

14 SECTION 3.01. Section 11.1513, Education Code, is amended
15 by amending Subsections (d) and (e) and adding Subsection (l) to
16 read as follows:

17 (d) The employment policy must provide that not later than
18 the fifth [~~10th~~] school day before the date on which a district
19 fills a vacant position for which a certificate or license is
20 required as provided by Section 21.003, other than a position that
21 affects the safety and security of students as determined by the
22 board of trustees, the district must provide to each current
23 district employee:

24 (1) notice of the position by posting the position on:

25 (A) a bulletin board at:

26 (i) a place convenient to the public in the
27 district's central administrative office; and

1 (ii) the central administrative office of
2 each campus in the district during any time the office is open; or

3 (B) the district's Internet website, if the
4 district has a website; and

5 (2) a reasonable opportunity to apply for the
6 position.

7 (e) If, during the school year, the district must fill a
8 vacant position held by a teacher, as defined by Section 21.201, in
9 less than five [~~10~~] school days, the district:

10 (1) must provide notice of the position in the manner
11 described by Subsection (d)(1) as soon as possible after the
12 vacancy occurs;

13 (2) is not required to provide the notice for five [~~10~~]
14 school days before filling the position; and

15 (3) is not required to comply with Subsection (d)(2).

16 (1) The employment policy must provide that for purposes of
17 determining the amount of a reduction in the salary of a classroom
18 teacher, full-time counselor, or full-time librarian for unpaid
19 leave, the employee's daily rate of pay is computed by dividing the
20 employee's annual salary by the number of days the employee is
21 expected to work for that school year.

22 SECTION 3.02. Subchapter B, Chapter 21, Education Code, is
23 amended by adding Sections 21.0411 and 21.04893 to read as follows:

24 Sec. 21.0411. WAIVER OR PAYMENT OF CERTAIN EXAMINATION AND
25 CERTIFICATION FEES. (a) Notwithstanding a rule adopted under
26 Section 21.041(c), the board shall, for a person applying for a
27 certification in special education, bilingual education, or

1 another area specified by the General Appropriations Act, waive:

2 (1) a certification examination fee imposed by the
3 board for the first administration of the examination to the
4 person; and

5 (2) a fee associated with the application for
6 certification by the person.

7 (b) The board shall pay to a vendor that administers a
8 certification examination described by Subsection (a) a fee
9 assessed by that vendor for the examination of a person applying for
10 a certification described by Subsection (a) for the first
11 administration of the examination to the person.

12 Sec. 21.04893. BILINGUAL TARGET LANGUAGE PROFICIENCY
13 TEST. The board shall propose rules to allow a person seeking
14 certification under this subchapter who fails to perform
15 satisfactorily on the Bilingual Target Language Proficiency Test
16 to:

17 (1) retake only the sections of the test that include
18 the domains on which the person failed to perform satisfactorily;
19 and

20 (2) during a retake of the test described by
21 Subdivision (1), demonstrate the person's language proficiency
22 through the completion of fewer components, including eliminating a
23 component that requires the preparation of a lesson plan for a
24 person who fails to perform satisfactorily on a domain requiring
25 completion of that component.

26 SECTION 3.03. Section 21.105, Education Code, is amended by
27 amending Subsection (c) and adding Subsection (g) to read as

1 follows:

2 (c) Subject to Subsections (e), ~~[and]~~ (f), and (g), on
3 written complaint by the employing district, the State Board for
4 Educator Certification may impose sanctions against a teacher
5 employed under a probationary contract who:

6 (1) resigns;

7 (2) fails without good cause to comply with Subsection
8 (a) or (b); and

9 (3) fails to perform the contract.

10 (g) The State Board for Educator Certification may not
11 impose a sanction under Subsection (c) against a teacher who
12 relinquishes a position under a probationary contract and leaves
13 the employment of the district after the 45th day before the first
14 day of instruction for the upcoming school year in violation of
15 Subsection (a) and without the consent of the board of trustees
16 under Subsection (b) if the teacher's failure to comply with
17 Subsection (a) was due to:

18 (1) a serious illness or health condition of the
19 teacher or a close family member of the teacher;

20 (2) the teacher's relocation because the teacher's
21 spouse or a partner who resides with the teacher changes employers
22 or location of employment;

23 (3) a significant change in the needs of the teacher's
24 family in a manner that requires the teacher to:

25 (A) relocate; or

26 (B) forgo employment during a period of required
27 employment under the teacher's contract; or

1 (4) the teacher's reasonable belief that the teacher
2 had written permission from the school district's administration to
3 resign.

4 SECTION 3.04. Section 21.160, Education Code, is amended by
5 amending Subsection (c) and adding Subsection (g) to read as
6 follows:

7 (c) Subject to Subsections (e), ~~and~~ (f), and (g), on
8 written complaint by the employing district, the State Board for
9 Educator Certification may impose sanctions against a teacher who
10 is employed under a continuing contract that obligates the district
11 to employ the person for the following school year and who:

12 (1) resigns;

13 (2) fails without good cause to comply with Subsection
14 (a) or (b); and

15 (3) fails to perform the contract.

16 (g) The State Board for Educator Certification may not
17 impose a sanction under Subsection (c) against a teacher who
18 relinquishes a position under a continuing contract and leaves the
19 employment of the district after the 45th day before the first day
20 of instruction of the upcoming school year in violation of
21 Subsection (a) and without the consent of the board of trustees
22 under Subsection (b) if the teacher's failure to comply with
23 Subsection (a) was due to:

24 (1) a serious illness or health condition of the
25 teacher or a close family member of the teacher;

26 (2) the teacher's relocation because the teacher's
27 spouse or a partner who resides with the teacher changes employers

1 or location of employment;

2 (3) a significant change in the needs of the teacher's
3 family in a manner that requires the teacher to:

4 (A) relocate; or

5 (B) forgo employment during a period of required
6 employment under the teacher's contract; or

7 (4) the teacher's reasonable belief that the teacher
8 had written permission from the school district's administration to
9 resign.

10 SECTION 3.05. Section 21.210, Education Code, is amended by
11 amending Subsection (c) and adding Subsection (g) to read as
12 follows:

13 (c) Subject to Subsections (e), ~~and~~ (f), and (g), on
14 written complaint by the employing district, the State Board for
15 Educator Certification may impose sanctions against a teacher who
16 is employed under a term contract that obligates the district to
17 employ the person for the following school year and who:

18 (1) resigns;

19 (2) fails without good cause to comply with Subsection
20 (a) or (b); and

21 (3) fails to perform the contract.

22 (g) The State Board for Educator Certification may not
23 impose a sanction under Subsection (c) against a teacher who
24 relinquishes a position under a term contract and leaves the
25 employment of the district after the 45th day before the first day
26 of instruction of the upcoming school year in violation of
27 Subsection (a) and without the consent of the board of trustees

1 under Subsection (b) if the teacher's failure to comply with
2 Subsection (a) was due to:

3 (1) a serious illness or health condition of the
4 teacher or a close family member of the teacher;

5 (2) the teacher's relocation because the teacher's
6 spouse or a partner who resides with the teacher changes employers
7 or location of employment;

8 (3) a significant change in the needs of the teacher's
9 family in a manner that requires the teacher to:

10 (A) relocate; or

11 (B) forgo employment during a period of required
12 employment under the teacher's contract; or

13 (4) the teacher's reasonable belief that the teacher
14 had written permission from the school district's administration to
15 resign.

16 SECTION 3.06. Section 21.257, Education Code, is amended by
17 amending Subsection (a) and adding Subsection (f) to read as
18 follows:

19 (a) Except as provided by Subsection (f), not ~~Not~~ later
20 than the 60th day after the date on which the commissioner receives
21 a teacher's written request for a hearing, the hearing examiner
22 shall complete the hearing and make a written recommendation that:

23 (1) includes proposed findings of fact and conclusions
24 of law; and

25 (2) may include a proposal for granting relief.

26 (f) The hearing examiner may dismiss a hearing before
27 completing the hearing or making a written recommendation if:

1 (1) the teacher requests the dismissal;

2 (2) the school district withdraws the proposed
3 decision that is the basis of the hearing; or

4 (3) the teacher and school district request the
5 dismissal after reaching a settlement regarding the proposed
6 decision that is the basis of the hearing.

7 SECTION 3.07. Subchapter I, Chapter 21, Education Code, is
8 amended by adding Section 21.418 to read as follows:

9 Sec. 21.418. ELECTION BY TEACHER TO USE UNPAID LEAVE. The
10 board of trustees of a school district shall adopt a policy that
11 provides a classroom teacher employed by the district the option to
12 elect not to take the teacher's paid personal leave concurrently
13 with unpaid leave the teacher is entitled to take under the Family
14 and Medical Leave Act of 1993 (29 U.S.C. Section 2601 et seq.) for
15 an absence due to pregnancy or the birth or adoption of a child.

16 SECTION 3.08. Subchapter J, Chapter 21, Education Code, is
17 amended by adding Sections 21.466 and 21.468 to read as follows:

18 Sec. 21.466. TEACHER QUALITY ASSISTANCE. (a) From money
19 appropriated or otherwise available for the purpose, the agency
20 shall develop training for and provide technical assistance to
21 school districts and open-enrollment charter schools regarding:

22 (1) strategic compensation, staffing, and scheduling
23 efforts that improve professional growth, teacher leadership and
24 mentorship opportunities, and staff retention, including by
25 identifying opportunities to reduce noninstructional duties for
26 teachers;

27 (2) programs that encourage high school students or

1 other members of the community in the area served by the district to
2 become teachers, including available teacher apprenticeship
3 programs, including by developing partnerships with educator
4 preparation programs; and

5 (3) programs or strategies that school leaders may use
6 to establish clear and attainable behavior expectations while
7 proactively supporting students.

8 (b) From money appropriated or otherwise available, the
9 agency shall provide grants to school districts and open-enrollment
10 charter schools to implement initiatives developed under this
11 section.

12 Sec. 21.468. TEACHER POSITION INFORMATION. The agency
13 shall collect data from school districts and open-enrollment
14 charter schools to address teacher retention and recruitment,
15 including the classifications, grade levels, subject areas,
16 duration, and other relevant information regarding vacant teaching
17 positions at districts and schools. The data may be collected
18 through the Public Education Information Management System (PEIMS)
19 or another electronic reporting mechanism specified by the agency.

20 SECTION 3.09. Section 26.011, Education Code, is amended by
21 adding Subsection (c) to read as follows:

22 (c) A grievance procedure adopted under Subsection (a) must
23 require that, for a complaint filed against a teacher or other
24 employee, the school district provide:

25 (1) notice of the complaint to the teacher or employee
26 against whom the complaint was filed; and

27 (2) sufficient opportunity for the teacher or employee

1 against whom the complaint was filed to submit a written response to
2 the complaint to be included in the record.

3 SECTION 3.10. Section 37.002, Education Code, is amended by
4 amending Subsections (b), (c), and (d) and adding Subsections
5 (b-2), (b-3), (c-1), (c-2), (e-1), (e-2), and (f) to read as
6 follows:

7 (b) A teacher may remove from class a student who:

8 (1) repeatedly interferes [~~who has been documented by~~
9 ~~the teacher to repeatedly interfere~~] with the teacher's ability to
10 communicate effectively with the students in the class or with the
11 ability of the student's classmates to learn; [~~or~~]

12 (2) demonstrates [~~whose~~] behavior that is unruly,
13 disruptive, or abusive toward the teacher, another adult, or
14 another student; or

15 (3) engages in conduct that constitutes bullying, as
16 defined by Section 37.0832 [~~determines is so unruly, disruptive, or~~
17 ~~abusive that it seriously interferes with the teacher's ability to~~
18 ~~communicate effectively with the students in the class or with the~~
19 ~~ability of the student's classmates to learn~~].

20 (b-2) A teacher, campus behavior coordinator, or other
21 appropriate administrator shall notify a parent or person standing
22 in parental relation to a student of the removal of a student under
23 this section.

24 (b-3) Subject to Sections 28.0022(a)(2) and (d), a teacher
25 may remove a student from class under Subsection (b) of this section
26 based on a single incident of behavior described by Subsection
27 (b)(1), (2), or (3).

1 (c) If a teacher removes a student from class under
2 Subsection (b), the principal may place the student into another
3 appropriate classroom, into in-school suspension, or into a
4 disciplinary alternative education program as provided by Section
5 37.008. The principal may not return the student to that teacher's
6 class without the teacher's written consent unless the committee
7 established under Section 37.003 determines that such placement is
8 the best or only alternative available and, not later than the third
9 class day after the day on which the student was removed from class,
10 a conference in which the teacher has been provided an opportunity
11 to participate has been held in accordance with Section 37.009(a).
12 The principal may not return the student to that teacher's class
13 unless the teacher provides written consent for the student's
14 return or a return to class plan has been prepared for that student.
15 The principal may only designate an employee of the school whose
16 primary duties do not include classroom instruction to create a
17 return to class plan. The terms of the removal may prohibit the
18 student from attending or participating in school-sponsored or
19 school-related activity.

20 (c-1) A return to class plan required under Subsection (c)
21 must be created before or at the conference described by that
22 subsection. A plan created before the conference must be discussed
23 at the conference.

24 (c-2) The commissioner shall adopt a model return to class
25 plan for use by a school district in creating a return to class plan
26 for a student under Subsection (c).

27 (d) A teacher shall remove from class and send to the

1 principal for placement in a disciplinary alternative education
2 program or for expulsion, as appropriate, a student who engages in
3 conduct described under Section 37.006 or 37.007. The student may
4 not be returned to that teacher's class without the teacher's
5 written consent unless the committee established under Section
6 37.003 determines that such placement is the best or only
7 alternative available and a conference in which the teacher has
8 been provided an opportunity to participate has been held in
9 accordance with Section 37.009(a). If the teacher removed the
10 student from class because the student has engaged in the elements
11 of any offense listed in Section 37.006(a)(2)(B) or Section
12 37.007(a)(2)(A) or (b)(2)(C) against the teacher, the student may
13 not be returned to the teacher's class without the teacher's written
14 consent. The teacher may not be coerced to consent.

15 (e-1) A student may appeal the student's removal from class
16 under this section to:

17 (1) the school's placement review committee
18 established under Section 37.003; or

19 (2) the safe and supportive school team established
20 under Section 37.115, in accordance with a district policy
21 providing for such an appeal to be made to the team.

22 (e-2) The principal, campus behavior coordinator, or other
23 appropriate administrator shall, at the conference required under
24 Section 37.009(a), notify a student who has been removed from class
25 under this section and the parent of or person standing in parental
26 relation to the student of the student's right to appeal under
27 Subsection (e-1).

1 (f) Section 37.004 applies to the removal or placement under
2 this section of a student with a disability who receives special
3 education services.

4 SECTION 3.11. Section 37.115(c), Education Code, as amended
5 by Chapters 896 (H.B. 3) and 948 (S.B. 1720), Acts of the 88th
6 Legislature, Regular Session, 2023, is reenacted and amended to
7 read as follows:

8 (c) The board of trustees of each school district shall
9 establish a threat assessment and safe and supportive school team
10 to serve at each campus of the district and shall adopt policies and
11 procedures for the teams. The team is responsible for developing
12 and implementing the safe and supportive school program under
13 Subsection (b) at the district campus served by the team. The
14 policies and procedures adopted under this section must:

15 (1) be consistent with the model policies and
16 procedures developed by the Texas School Safety Center;

17 (2) require each team to complete training provided by
18 the Texas School Safety Center or a regional education service
19 center regarding evidence-based threat assessment programs;

20 (3) require each team established under this section
21 to report the information required under Subsection (k) regarding
22 the team's activities to the agency; ~~and~~

23 (4) provide for:

24 (A) a district employee who reports a potential
25 threat to a team to elect for the employee's identity to be
26 confidential and not subject to disclosure under Chapter 552,
27 Government Code, except as necessary for the team, the district, or

1 law enforcement to investigate the potential threat; and

2 (B) the district to maintain a record of the
3 identity of a district employee who elects for the employee's
4 identity to be confidential under Paragraph (A);

5 (5) [~~4~~] require each district campus to establish a
6 clear procedure for a student to report concerning behavior
7 exhibited by another student for assessment by the team or other
8 appropriate school employee; and

9 (6) require that, as soon as safe and practicable
10 after an administrator or team for a district campus receives
11 information regarding a threat made against that campus, including
12 through social media, the administrator or team immediately provide
13 to each member of the teaching staff, including teacher's aides,
14 who may be directly affected by the threat notice that includes:

15 (A) a statement of the existence of the threat;

16 (B) the nature of the threat; and

17 (C) any other pertinent details to ensure student
18 and staff safety.

19 SECTION 3.12. Section 21.257(f), Education Code, as added
20 by this article, applies only to a hearing before a hearing examiner
21 commenced on or after the effective date of this article.

22 SECTION 3.13. Sections 11.1513(d) and (e), Education Code,
23 as amended by this article, and Section 21.418, Education Code, as
24 added by this article, apply beginning with the 2025-2026 school
25 year.

26 SECTION 3.14. To the extent of any conflict between the
27 changes made to the Education Code by this article and the changes

1 made to the Education Code by another Act of the 89th Legislature,
2 Regular Session, 2025, the changes made by this article prevail.

3 SECTION 3.15. This article takes effect immediately if this
4 Act receives a vote of two-thirds of all the members elected to each
5 house, as provided by Section 39, Article III, Texas Constitution.
6 If this Act does not receive the vote necessary for immediate
7 effect, this article takes effect September 1, 2025.

8 ARTICLE 4. SPECIAL EDUCATION

9 SECTION 4.01. Section 7.021(b)(10), Education Code, is
10 amended to read as follows:

11 (10) The agency shall carry out duties assigned under
12 Section 30.002 concerning children who have visual impairments, are
13 deaf or hard of hearing, or are deaf-blind [~~with visual~~
14 ~~impairments~~].

15 SECTION 4.02. Section 7.055(b)(25), Education Code, is
16 amended to read as follows:

17 (25) The commissioner shall develop a system to
18 distribute to school districts or regional education service
19 centers a special supplemental allowance for students with visual
20 impairments as required under Section 30.0021 [~~30.002~~].

21 SECTION 4.03. Section 8.051(d), Education Code, is amended
22 to read as follows:

23 (d) Each regional education service center shall maintain
24 core services for purchase by school districts and campuses. The
25 core services are:

26 (1) training and assistance in:

27 (A) teaching each subject area assessed under

1 Section 39.023; and

2 (B) providing instruction in personal financial
3 literacy as required under Section 28.0021;

4 (2) training and assistance in providing each program
5 that qualifies for a funding allotment under Section 48.102,
6 48.1021, 48.103, 48.104, 48.105, or 48.109;

7 (3) assistance specifically designed for a school
8 district or campus assigned an unacceptable performance rating
9 under Section 39.054;

10 (4) training and assistance to teachers,
11 administrators, members of district boards of trustees, and members
12 of site-based decision-making committees;

13 (5) assistance specifically designed for a school
14 district that is considered out of compliance with state or federal
15 special education requirements, based on the agency's most recent
16 compliance review of the district's special education programs; and

17 (6) assistance in complying with state laws and rules.

18 SECTION 4.04. Sections 28.025(c-7) and (c-8), Education
19 Code, are amended to read as follows:

20 (c-7) Subject to Subsection (c-8), a student who is enrolled
21 in a special education program under Subchapter A, Chapter 29, may
22 earn the distinguished level of achievement under Subsection (b-15)
23 or an endorsement on the student's transcript under Subsection
24 (c-1) by:

25 (1) successfully completing, with or without
26 modification of the curriculum:

27 (A) the curriculum requirements identified by

1 the State Board of Education under Subsection (a); [~~and~~]

2 (B) for the distinguished level of achievement,
3 the additional curriculum requirements prescribed under Subsection
4 (b-15); and

5 (C) for an endorsement, the additional
6 [~~endorsement~~] curriculum requirements prescribed by the State
7 Board of Education under Subsection (c-2); and

8 (2) successfully completing all curriculum
9 requirements for the distinguished level of achievement or that
10 endorsement adopted by the State Board of Education:

11 (A) without modification of the curriculum; or

12 (B) with modification of the curriculum,
13 provided that the curriculum, as modified, is sufficiently rigorous
14 as determined by the student's admission, review, and dismissal
15 committee and documented in the student's individualized education
16 program.

17 (c-8) For purposes of Subsection (c-7), the admission,
18 review, and dismissal committee of a student in a special education
19 program under Subchapter A, Chapter 29, shall determine whether the
20 student is required to achieve satisfactory performance on an
21 end-of-course assessment instrument to earn the distinguished
22 level of achievement or an endorsement on the student's transcript.

23 SECTION 4.05. Section 29.001, Education Code, is amended to
24 read as follows:

25 Sec. 29.001. IMPLEMENTATION OF SPECIAL EDUCATION
26 LAW [STATEWIDE PLAN]. (a) As the state education agency
27 responsible for carrying out the purposes of Part B, Individuals

1 with Disabilities Education Act (20 U.S.C. Section 1411 et seq.),
2 the [~~The~~] agency shall develop, and revise [~~modify~~] as necessary, a
3 comprehensive system to ensure statewide and local compliance
4 [~~design, consistent~~] with federal and state law related to special
5 education [~~, for the delivery of services to children with~~
6 ~~disabilities in this state that includes rules for the~~
7 ~~administration and funding of the special education program so that~~
8 ~~a free appropriate public education is available to all of those~~
9 ~~children between the ages of three and 21]~~.

10 (b) The comprehensive system must [~~statewide design shall~~]
11 include the provision of services primarily through school
12 districts and shared services arrangements, supplemented by
13 regional education service centers.

14 (c) The comprehensive system must focus on maximizing
15 student outcomes and include [~~agency shall also develop and~~
16 ~~implement a statewide plan with programmatic content that includes~~
17 ~~procedures designed to]~~:

18 (1) rulemaking, technical assistance, guidance
19 documents, monitoring protocols, data elements necessary for
20 statewide reporting, and other resources as necessary to implement
21 and ensure compliance with federal and state law related to special
22 education [~~ensure state compliance with requirements for~~
23 ~~supplemental federal funding for all state-administered programs~~
24 ~~involving the delivery of instructional or related services to~~
25 ~~students with disabilities]~~;

26 (2) the facilitation of [~~facilitate~~] interagency
27 coordination when other state agencies are involved in the delivery

1 of instructional or related services to students with disabilities;

2 (3) the pursuit of [~~periodically assess statewide~~
3 ~~personnel needs in all areas of specialization related to special~~
4 ~~education and pursue~~] strategies to meet statewide special
5 education and related services personnel [~~those~~] needs [~~through a~~
6 ~~consortium of representatives from regional education service~~
7 ~~centers, local education agencies, and institutions of higher~~
8 ~~education and through other available alternatives~~];

9 (4) ensuring [~~ensure~~] that regional education service
10 centers throughout the state maintain a regional support function,
11 which may include procedures for service centers to assist school
12 districts in identifying existing public or private educational or
13 related services in each region, cooperatively developing programs
14 for students with disabilities, providing to or obtaining for
15 school districts special equipment, delivering services, and
16 facilitating [~~direct service delivery and a component designed to~~
17 ~~facilitate~~] the placement of students with disabilities who cannot
18 be appropriately served in their resident districts;

19 (5) [~~allow the agency to~~] effectively monitoring
20 [~~monitor~~] and periodically conducting [~~conduct~~] site visits of all
21 school districts to ensure that rules adopted under this subchapter
22 [~~section~~] are applied in a consistent and uniform manner, to ensure
23 that districts are complying with those rules, and to ensure that
24 annual statistical reports filed by the districts and not otherwise
25 available through the Public Education Information Management
26 System under Sections 48.008 and 48.009 are accurate and complete;
27 and

1 (6) the provision of training and technical assistance
2 to ensure that:

3 (A) appropriately trained personnel are involved
4 in the diagnostic and evaluative procedures operating in all
5 districts and that those personnel routinely serve on district
6 multidisciplinary evaluation teams and admissions, review, and
7 dismissal committees;

8 (B) [~~(7) ensure that~~] an individualized
9 education program for each student with a disability is properly
10 developed, implemented, and maintained in the least restrictive
11 environment that is appropriate to meet the student's educational
12 needs;

13 (C) appropriately trained personnel are
14 available to students with disabilities who have significant
15 behavioral support needs, including by making behavioral support
16 training available to each paraprofessional or teacher placed in a
17 classroom or other setting that is intended to provide specialized
18 behavioral supports to a student with a disability, as needed or at
19 regular intervals as provided in the student's individualized
20 education program;

21 (D) [~~(8) ensure that,~~] when appropriate, each
22 student with a disability is provided an opportunity to participate
23 in career and technology and physical education classes[~~, in~~
24 ~~addition to participating in regular or special classes];~~

25 (E) [~~(9) ensure that~~] each student with a
26 disability is provided necessary related services;

27 (F) school districts have an opportunity to

1 request technical assistance from the agency or a regional
2 education service center in establishing classroom environments
3 conducive to learning for students with disabilities, including
4 environments for students whose data indicate behavior that
5 significantly impedes the student's own learning and the learning
6 of other students;

7 (G) [~~(10)~~—ensure that] an individual assigned
8 to act as a surrogate parent for a child with a disability, as
9 provided by 20 U.S.C. Section 1415(b), is required to:

10 (i) [~~(A)~~] complete a training program that
11 complies with minimum standards established by agency rule;

12 (ii) [~~(B)~~] visit the child and the child's
13 school;

14 (iii) [~~(C)~~] consult with persons involved
15 in the child's education, including teachers, caseworkers,
16 court-appointed volunteers, guardians ad litem, attorneys ad
17 litem, foster parents, and caretakers;

18 (iv) [~~(D)~~] review the child's educational
19 records;

20 (v) [~~(E)~~] attend meetings of the child's
21 admission, review, and dismissal committee;

22 (vi) [~~(F)~~] exercise independent judgment
23 in pursuing the child's interests; and

24 (vii) [~~(G)~~] exercise the child's due
25 process rights under applicable state and federal law; and

26 (H) [~~(11)~~—ensure that] each district develops a
27 process to be used by a teacher who instructs a student with a

1 disability in a general education [~~regular~~] classroom setting:

2 (i) [~~(A)~~] to request a review of the
3 student's individualized education program;

4 (ii) [~~(B)~~] to provide input in the
5 development of the student's individualized education program;

6 (iii) [~~(C)~~] that provides for a timely
7 district response to the teacher's request; and

8 (iv) [~~(D)~~] that provides for notification
9 to the student's parent or legal guardian of that response.

10 SECTION 4.06. Subchapter A, Chapter 29, Education Code, is
11 amended by adding Section 29.0012 to read as follows:

12 Sec. 29.0012. ANNUAL MEETING ON SPECIAL EDUCATION. (a) At
13 least once each year, the board of trustees of a school district or
14 the governing body of an open-enrollment charter school shall
15 include during a public meeting a discussion of the performance of
16 students receiving special education services at the district or
17 school.

18 (b) The agency by rule shall adopt a set of performance
19 indicators for measuring and evaluating the quality of learning and
20 achievement for students receiving special education services at
21 the school district or open-enrollment charter school to be
22 considered at a meeting held under this section. The indicators
23 must include performance on the college, career, or military
24 readiness outcomes described by Section 48.110.

25 SECTION 4.07. Section 29.003, Education Code, is amended to
26 read as follows:

27 Sec. 29.003. ELIGIBILITY CRITERIA. (a) The agency shall

1 develop specific eligibility criteria based on the general
2 classifications established by this section and in accordance with
3 federal law [~~with reference to contemporary diagnostic or~~
4 ~~evaluative terminologies and techniques~~]. Eligible students with
5 disabilities shall enjoy the right to a free appropriate public
6 education, which may include instruction in the general education
7 [~~regular~~] classroom, instruction through special teaching, or
8 instruction through contracts approved under this subchapter.
9 Instruction shall be supplemented by the provision of related
10 services when appropriate.

11 (b) A student is eligible to participate in a school
12 district's special education program [~~if the student~~]:

13 (1) from birth through [~~is not more than~~] 21 years of
14 age if the student [~~and~~] has a visual [~~or auditory~~] impairment, is
15 deaf or hard of hearing, or is deaf-blind and that disability
16 prevents the student from being adequately or safely educated in
17 public school without the provision of special education services;
18 [~~or~~]

19 (2) from three years of age through nine years of age
20 if the student is experiencing developmental delays as described by
21 20 U.S.C. Section 1401(3)(B) and defined by commissioner rule; or

22 (3) from 3 years of age through [~~is at least three but~~
23 ~~not more than~~] 21 years of age if the student [~~and~~] has one or more
24 of the [~~following~~] disabilities described by 20 U.S.C. Section
25 1401(3)(A) and that disability prevents the student from being
26 adequately or safely educated in public school without the
27 provision of special education services[+]

1 ~~[(A) physical disability,~~
2 ~~[(B) intellectual or developmental disability,~~
3 ~~[(C) emotional disturbance,~~
4 ~~[(D) learning disability,~~
5 ~~[(E) autism,~~
6 ~~[(F) speech disability; or~~
7 ~~[(G) traumatic brain injury].~~

8 SECTION 4.08. Sections 29.005(a), (d), and (e), Education
9 Code, are amended to read as follows:

10 (a) Before a child is enrolled in a special education
11 program of a school district, the district shall establish a
12 committee composed of the persons required under 20 U.S.C. Section
13 1414(d) to develop the child's individualized education program.
14 If a committee is required to include a general ~~[regular]~~ education
15 teacher, the ~~[regular education]~~ teacher included must, to the
16 extent practicable, be a teacher who is responsible for
17 implementing a portion of the child's individualized education
18 program.

19 (d) If the primary language of the child's parent is a
20 language other than ~~[is unable to speak]~~ English, the district
21 shall:

22 (1) provide the parent with a written or audiotaped
23 copy of the child's individualized education program translated
24 into Spanish if Spanish is the parent's primary ~~[native]~~ language;
25 or

26 (2) if the parent's primary ~~[native]~~ language is a
27 language other than Spanish, make a good faith effort to provide the

1 parent with a written or audiotaped copy of the child's
2 individualized education program translated into the parent's
3 primary [~~native~~] language.

4 (e) The commissioner by rule may require a school district
5 to include in the individualized education program of a student
6 with autism [~~or another pervasive developmental disorder~~] any
7 information or requirement determined necessary to ensure the
8 student receives a free appropriate public education as required
9 under the Individuals with Disabilities Education Act (20 U.S.C.
10 Section 1400 et seq.).

11 SECTION 4.09. Section [29.0051](#), Education Code, is amended
12 by adding Subsection (d) to read as follows:

13 (d) From federal money appropriated or otherwise available
14 for the purpose, the commissioner may develop or procure the model
15 form developed under Subsection (a) in a digital format. If the
16 commissioner develops or procures the model form in a digital
17 format, the commissioner shall adopt rules regarding school
18 district use of the form in that format.

19 SECTION 4.10. Subchapter [A](#), Chapter [29](#), Education Code, is
20 amended by adding Section 29.0056 to read as follows:

21 Sec. 29.0056. INFORMATION REGARDING STATE SUPPORTED LIVING
22 CENTERS. (a) In this section, "state supported living center" has
23 the meaning assigned by Section [531.002](#), Health and Safety Code.

24 (b) The Health and Human Services Commission, in
25 collaboration with the agency and stakeholders who represent the
26 full continuum of educational residential placement options, shall
27 develop and provide to the agency materials regarding educational

1 residential placement options for children who may qualify for
2 placement in a state supported living center. The agency shall make
3 the materials developed under this subsection available to school
4 districts.

5 (c) At a meeting of a child's admission, review, and
6 dismissal committee at which residential placement is discussed,
7 the school district shall provide to the child's parent the
8 materials developed under Subsection (b).

9 SECTION 4.11. Sections 29.006(a) and (c), Education Code,
10 are amended to read as follows:

11 (a) The governor shall appoint a continuing advisory
12 committee consistent with~~[, composed of 17 members, under]~~ 20
13 U.S.C. Section 1412(a)(21). At least one member appointed under
14 this subsection must be a director of special education programs
15 for a school district.

16 (c) Members of the committee are appointed for staggered
17 terms of four years with the terms of half of the ~~[eight or nine]~~
18 members or, for an odd number of members, half of the members
19 rounded down or half of the members rounded up expiring on February
20 1 of each odd-numbered year.

21 SECTION 4.12. Section 29.008, Education Code, is amended to
22 read as follows:

23 Sec. 29.008. CONTRACTS FOR SERVICES; RESIDENTIAL AND DAY
24 PLACEMENT PROGRAMS. (a) The commissioner shall set minimum
25 standards for and develop and update as necessary a list of approved
26 public or private facilities, institutions, agencies, or
27 businesses inside or outside of this state that a [A] school

1 district, shared services arrangement unit, or regional education
2 service center may contract with ~~[a public or private facility,~~
3 ~~institution, or agency inside or outside of this state]~~ for the
4 provision of services to students with disabilities in a
5 residential or day placement program.

6 (a-1) ~~[Each contract for residential placement must be~~
7 ~~approved by the commissioner.]~~ The commissioner may approve a
8 facility, institution, agency, or business under Subsection (a)
9 ~~[residential placement contract]~~ only after at least a programmatic
10 evaluation of personnel qualifications, costs, adequacy of
11 physical plant and equipment, and curriculum content. ~~[The~~
12 ~~commissioner may approve either the whole or a part of a facility or~~
13 ~~program.]~~

14 (a-2) Each contract described by this section must be
15 approved by the commissioner. A school district, shared services
16 arrangement unit, or regional education service center seeking to
17 place a student in a residential or day placement program that is
18 not on the list developed under Subsection (a) must submit to the
19 commissioner an application for approval in accordance with
20 Subsections (a) and (a-1).

21 (b) Except as provided by Subsection (c), costs of an
22 approved contract for residential placement may be paid from a
23 combination of federal, state, and local funds. The local share of
24 the total contract cost for each student is that portion of the
25 local tax effort that exceeds the district's local fund assignment
26 under Section 48.256, divided by the average daily attendance in
27 the district. If the contract involves a private facility, the

1 state share of the total contract cost is that amount remaining
2 after subtracting the local share. If the contract involves a
3 public facility, the state share is that amount remaining after
4 subtracting the local share from the portion of the contract that
5 involves the costs of instructional and related services. For
6 purposes of this subsection, "local tax effort" means the total
7 amount of money generated by taxes imposed for debt service and
8 maintenance and operation less any amounts paid into a tax
9 increment fund under Chapter 311, Tax Code. This subsection
10 expires September 1, 2027.

11 (c) When a student, including one for whom the state is
12 managing conservator, is placed primarily for care or treatment
13 reasons in a private [~~residential~~] facility that operates its own
14 private education program, none of the costs may be paid from public
15 education funds. If a [~~residential~~] placement primarily for care
16 or treatment reasons involves a private [~~residential~~] facility in
17 which the education program is provided by the school district, the
18 portion of the costs that includes appropriate education services,
19 as determined by the school district's admission, review, and
20 dismissal committee, shall be paid from local, state, and federal
21 education funds.

22 (d) A district that contracts for the provision of education
23 services rather than providing the services itself shall oversee
24 the implementation of the student's individualized education
25 program and shall annually reevaluate the appropriateness of the
26 arrangement. The reevaluation must include standards and
27 expectations that must be met to reintegrate the student to the

1 general education setting. An approved facility, institution, [~~or~~]
2 agency, or business with whom the district contracts shall
3 periodically report to the district and the agency on the services
4 the student has received or will receive in accordance with the
5 contract as well as diagnostic or other evaluative information that
6 the district or agency requires in order to fulfill its obligations
7 under this subchapter.

8 (e) The commissioner shall adopt rules for residential and
9 day placement of students receiving special education services.

10 SECTION 4.13. The heading to Section 29.009, Education
11 Code, is amended to read as follows:

12 Sec. 29.009. PUBLIC NOTICE CONCERNING EARLY CHILDHOOD
13 SPECIAL EDUCATION [~~PRESCHOOL~~] PROGRAMS [~~FOR STUDENTS WITH~~
14 ~~DISABILITIES~~].

15 SECTION 4.14. Section 29.010, Education Code, is amended to
16 read as follows:

17 Sec. 29.010. GENERAL SUPERVISION AND COMPLIANCE. (a) The
18 agency shall develop [~~adopt~~] and implement a comprehensive system
19 for monitoring school district compliance with federal and state
20 laws relating to special education. The monitoring system must
21 include a comprehensive cyclical process and a targeted risk-based
22 process [~~provide for ongoing analysis of district special education~~
23 ~~data and of complaints filed with the agency concerning special~~
24 ~~education services and for inspections of school districts at~~
25 ~~district facilities~~]. The agency shall establish criteria and
26 instruments for use in determining district compliance under this
27 section [~~use the information obtained through analysis of district~~

1 ~~data and from the complaints management system to determine the~~
2 ~~appropriate schedule for and extent of the inspection].~~

3 (a-1) As part of the monitoring system, the agency may
4 require a school district to obtain specialized technical
5 assistance for a documented noncompliance issue or if data
6 indicates that technical assistance is needed, such as an incident
7 involving injury to staff or students by a student receiving
8 special education services or data indicating an excessive number
9 of restraints are used on students receiving special education
10 services.

11 (b) As part of the monitoring process [~~To complete the~~
12 ~~inspection], the agency must obtain information from parents and~~
13 teachers of students in special education programs in the district.

14 (c) The agency shall develop and implement a system of
15 interventions and sanctions for school districts the agency
16 identifies as being in noncompliance with [~~whose most recent~~
17 ~~monitoring visit shows a failure to comply with major requirements~~
18 ~~of]~~ the Individuals with Disabilities Education Act (20 U.S.C.
19 Section 1400 et seq.), federal regulations, state statutes, or
20 agency requirements necessary to carry out federal law or
21 regulations or state law relating to special education.

22 (d) The agency shall establish a system of progressive
23 sanctions and enforcement provisions to apply to [~~For]~~ districts
24 that remain in noncompliance for more than one year[, ~~the first~~
25 ~~stage of sanctions shall begin with annual or more frequent~~
26 ~~monitoring visits]. The [~~Subsequent]~~ sanctions must [~~may~~] range in
27 severity and may include [~~up to~~] the withholding of funds. If funds~~

1 are withheld, the agency may use the funds, or direct the funds to
2 be used, to provide, through alternative arrangements, services to
3 students and staff members in the district from which the funds are
4 withheld.

5 (e) The agency's complaint management division shall
6 develop a system for expedited investigation and resolution of
7 complaints concerning a district's failure to provide special
8 education or related services to a student eligible to participate
9 in the district's special education program.

10 [~~(f) This section does not create an obligation for or~~
11 ~~impose a requirement on a school district or open-enrollment~~
12 ~~charter school that is not also created or imposed under another~~
13 ~~state law or a federal law.]~~

14 SECTION 4.15. Section 29.012(d), Education Code, is amended
15 to read as follows:

16 (d) The Texas Education Agency, the Health and Human
17 Services Commission, the Department of Family and Protective
18 Services, and the Texas Juvenile Justice Department by a
19 cooperative effort shall develop and [~~by rule~~] adopt a memorandum
20 of understanding. The memorandum must:

21 (1) establish the respective responsibilities of
22 school districts and of residential facilities for the provision of
23 a free, appropriate public education, as required by the
24 Individuals with Disabilities Education Act (20 U.S.C. Section 1400
25 et seq.) and its subsequent amendments, including each requirement
26 for children with disabilities who reside in those facilities;

27 (2) coordinate regulatory and planning functions of

1 the parties to the memorandum;

2 (3) establish criteria for determining when a public
3 school will provide educational services;

4 (4) provide for appropriate educational space when
5 education services will be provided at the residential facility;

6 (5) establish measures designed to ensure the safety
7 of students and teachers; and

8 (6) provide for binding arbitration consistent with
9 Chapter 2009, Government Code, and Section 154.027, Civil Practice
10 and Remedies Code.

11 SECTION 4.16. Section 29.013, Education Code, is amended to
12 read as follows:

13 Sec. 29.013. NONEDUCATIONAL COMMUNITY-BASED SUPPORT
14 SERVICES GRANTS FOR CERTAIN STUDENTS WITH DISABILITIES. (a) The
15 commissioner [~~agency~~] shall adopt rules establishing [~~establish~~]
16 procedures and criteria for the allocation of grants [~~funds~~
17 ~~appropriated~~] under this section to students who are eligible under
18 Subsection (b) and the students' families [~~school districts~~] for
19 the provision of noneducational community-based support services
20 [~~to certain students with disabilities and their families so that~~
21 ~~those students may receive an appropriate free public education in~~
22 ~~the least restrictive environment~~].

23 (b) A grant [~~The funds~~] may be awarded under this section
24 [~~used~~] only to a student with a disability [~~for eligible students~~
25 ~~with disabilities~~] who is [~~would remain or would have to be~~] placed
26 by the student's admission, review, and dismissal committee in:

27 (1) a residential program approved under Section

1 29.008; or

2 (2) a day placement program and is at risk of being
3 placed in a residential program approved under Section 29.008
4 [facilities primarily for educational reasons without the
5 provision of noneducational community-based support services].

6 (c) The support services may not be related to the provision
7 of a free appropriate public education to the student and may
8 include in-home family support, behavioral and other
9 disability-related supports for the student's family, respite
10 care, and case management for the student's family [families with a
11 student who otherwise would have been placed by a district in a
12 private residential facility].

13 (d) A school district shall:

14 (1) notify the parent of a student described by
15 Subsection (b) of the availability of grants under this section;
16 and

17 (2) designate a campus or district staff member to
18 assist families of students described by Subsection (b) in
19 accessing grants under this section.

20 (e) On request by the parent of a student described by
21 Subsection (b), the commissioner shall create an account for the
22 student to access a grant under this section through which the
23 parent may request payment for approved support services.

24 (f) In adopting rules under this section, the commissioner
25 shall adopt rules and guidelines detailing the process to access
26 grant money and the amount of each grant, including a process for a
27 parent to apply for an increase in the grant amount.

1 (g) The provision of services under this section does not
2 supersede or limit the responsibility of a school district or other
3 agencies to provide or pay for costs [~~of noneducational~~
4 ~~community-based support services~~] to enable any student with
5 disabilities to receive a free appropriate public education in the
6 least restrictive environment. [~~Specifically, services provided~~
7 ~~under this section may not be used for a student with disabilities~~
8 ~~who is currently placed or who needs to be placed in a residential~~
9 ~~facility primarily for noneducational reasons.~~]

10 (h) The commissioner may designate a regional education
11 service center to administer grants under this section.

12 SECTION 4.17. Sections 29.014(c) and (d), Education Code,
13 are amended to read as follows:

14 (c) Notwithstanding any other provision of this code, a
15 student whose appropriate education program is a general [~~regular~~]
16 education program may receive services and be counted for
17 attendance purposes for the number of hours per week appropriate
18 for the student's condition if the student:

19 (1) is temporarily classified as eligible for
20 participation in a special education program because of the
21 student's confinement in a hospital; and

22 (2) the student's education is provided by a district
23 to which this section applies.

24 (d) The basic allotment for a student enrolled in a district
25 to which this section applies is adjusted by the tier of intensity
26 of service defined in accordance with [~~weight for a homebound~~
27 ~~student under~~] Section 48.102 and designated by commissioner rule

1 for use under this section [~~48.102(a)~~].

2 SECTION 4.18. Section 29.0162(b), Education Code, is
3 amended to read as follows:

4 (b) The commissioner by rule shall adopt additional
5 qualifications and requirements for a representative for purposes
6 of Subsection (a)(2). The rules must:

7 (1) prohibit an individual from being a representative
8 under Subsection (a)(2) opposing a school district if:

9 (A) the individual has prior employment
10 experience with the district; and

11 (B) the district raises an objection to the
12 individual serving as a representative;

13 (2) include requirements that the representative have
14 knowledge of:

15 (A) all special education dispute resolution
16 options available to parents, including due process and due process
17 rules, hearings, and procedure; and

18 (B) federal and state special education laws;

19 (3) require, if the representative receives monetary
20 compensation from a person for representation in an impartial due
21 process hearing, that the representative agree to abide by a
22 voluntary code of ethics and professional conduct during the period
23 of representation; and

24 (4) require, if the representative receives monetary
25 compensation from a person for representation in an impartial due
26 process hearing, that the representative enter into a written
27 agreement for representation with the person who is the subject of

1 the special education due process hearing that includes a process
2 for resolving any disputes between the representative and the
3 person.

4 SECTION 4.19. Section 29.018(b), Education Code, is amended
5 to read as follows:

6 (b) A school district is eligible to apply for a grant under
7 this section if:

8 (1) the district does not receive sufficient funds,
9 including state funds provided under Sections [~~Section~~] 48.102 and
10 48.1021 and federal funds, for a student with disabilities to pay
11 for the special education services provided to the student; or

12 (2) the district does not receive sufficient funds,
13 including state funds provided under Sections [~~Section~~] 48.102 and
14 48.1021 and federal funds, for all students with disabilities in
15 the district to pay for the special education services provided to
16 the students.

17 SECTION 4.20. The heading to Section 29.020, Education
18 Code, is amended to read as follows:

19 Sec. 29.020. STATE-ADMINISTERED INDIVIDUALIZED EDUCATION
20 PROGRAM FACILITATION [~~PROJECT~~].

21 SECTION 4.21. Sections 29.020(a) and (c), Education Code,
22 are amended to read as follows:

23 (a) The agency shall develop rules in accordance with this
24 section applicable to state-administered [~~the administration of a~~
25 ~~state~~] individualized education program facilitation [~~project~~].
26 The program shall include the provision of an independent
27 individualized education program facilitator as a dispute

1 resolution method that may be used to avoid a potential dispute
 2 between a school district and a parent of a student with a
 3 disability or to facilitate an admission, review, and dismissal
 4 committee meeting with parties who are in a dispute about decisions
 5 relating to the provision of a free appropriate public education to
 6 a student with a disability. Facilitation [~~implemented under the~~
 7 ~~project~~] must comply with rules developed under this subsection.

8 (c) If the commissioner determines that adequate funding is
 9 available, the commissioner may authorize the use of federal funds
 10 to implement [~~the~~] individualized education program facilitation
 11 [~~project~~] in accordance with this section.

12 SECTION 4.22. Sections 29.022(a), (a-1), (b), (c), (c-1),
 13 (d), (f), (h), (k), (l), (q), (s), and (t), Education Code, are
 14 amended to read as follows:

15 (a) In order to promote student safety, on receipt of a
 16 written request authorized under Subsection (a-1), a school
 17 district or open-enrollment charter school shall provide
 18 equipment, including a video camera, to the school or schools in the
 19 district or the charter school campus or campuses specified in the
 20 request. A school or campus that receives equipment as provided by
 21 this subsection shall place, operate, and maintain one or more
 22 video cameras in special education [~~self-contained~~] classrooms and
 23 other special education settings [~~in which a majority of the~~
 24 ~~students in regular attendance are provided special education and~~
 25 ~~related services and are assigned to one or more self-contained~~
 26 ~~classrooms or other special education settings for at least 50~~
 27 ~~percent of the instructional day~~], provided that:

1 (1) a school or campus that receives equipment as a
2 result of the request by a parent or staff member is required to
3 place equipment only in classrooms or settings in which the
4 parent's child is in regular attendance or to which the staff member
5 is assigned, as applicable; and

6 (2) a school or campus that receives equipment as a
7 result of the request by a board of trustees, governing body,
8 principal, or assistant principal is required to place equipment
9 only in classrooms or settings identified by the requestor, if the
10 requestor limits the request to specific classrooms or settings
11 subject to this subsection.

12 (a-1) For purposes of Subsection (a):

13 (1) a parent of a child who receives special education
14 services in one or more special education [~~self-contained~~]
15 classrooms or other special education settings may request in
16 writing that equipment be provided to the school or campus at which
17 the child receives those services;

18 (2) a board of trustees or governing body may request
19 in writing that equipment be provided to one or more specified
20 schools or campuses at which one or more children receive special
21 education services in special education [~~self-contained~~]
22 classrooms or other special education settings;

23 (3) the principal or assistant principal of a school
24 or campus at which one or more children receive special education
25 services in special education [~~self-contained~~] classrooms or other
26 special education settings may request in writing that equipment be
27 provided to the principal's or assistant principal's school or

1 campus; and

2 (4) a staff member assigned to work with one or more
3 children receiving special education services in special education
4 [~~self-contained~~] classrooms or other special education settings
5 may request in writing that equipment be provided to the school or
6 campus at which the staff member works.

7 (b) A school or campus that places a video camera in a
8 special education classroom or other special education setting in
9 accordance with Subsection (a) shall operate and maintain the video
10 camera in the classroom or setting, as long as the classroom or
11 setting continues to satisfy the requirements under Subsection (a),
12 for the remainder of the school year in which the school or campus
13 received the request, unless the requestor withdraws the request in
14 writing. If for any reason a school or campus will discontinue
15 operation of a video camera during a school year, not later than the
16 fifth school day before the date the operation of the video camera
17 will be discontinued, the school or campus must notify the parents
18 of each student in regular attendance in the classroom or setting
19 that operation of the video camera will not continue unless
20 requested by a person eligible to make a request under Subsection
21 (a-1). Not later than the 10th school day before the end of each
22 school year, the school or campus must notify the parents of each
23 student in regular attendance in the classroom or setting that
24 operation of the video camera will not continue during the
25 following school year unless a person eligible to make a request for
26 the next school year under Subsection (a-1) submits a new request.

27 (c) Except as provided by Subsection (c-1), video cameras

1 placed under this section must be capable of:

2 (1) covering all areas of the special education
3 classroom or other special education setting, including a room
4 attached to the classroom or setting used for time-out; and

5 (2) recording audio from all areas of the special
6 education classroom or other special education setting, including a
7 room attached to the classroom or setting used for time-out.

8 (c-1) The inside of a bathroom or any area in the special
9 education classroom or other special education setting in which a
10 student's clothes are changed may not be visually monitored, except
11 for incidental coverage of a minor portion of a bathroom or changing
12 area because of the layout of the classroom or setting.

13 (d) Before a school or campus activates a video camera in a
14 special education classroom or other special education setting
15 under this section, the school or campus shall provide written
16 notice of the placement to all school or campus staff and to the
17 parents of each student attending class or engaging in school
18 activities in the classroom or setting.

19 (f) A school district or open-enrollment charter school may
20 solicit and accept gifts, grants, and donations from any person for
21 use in placing video cameras in special education classrooms or
22 other special education settings under this section.

23 (h) A school district or open-enrollment charter school may
24 not:

25 (1) allow regular or continual monitoring of video
26 recorded under this section; or

27 (2) use video recorded under this section for teacher

1 evaluation or for any other purpose other than the promotion of
2 safety of students receiving special education services in a
3 special education [~~self-contained~~] classroom or other special
4 education setting.

5 (k) The commissioner may adopt rules to implement and
6 administer this section, including rules regarding the special
7 education classrooms and other special education settings to which
8 this section applies.

9 (l) A school district or open-enrollment charter school
10 policy relating to the placement, operation, or maintenance of
11 video cameras under this section must:

12 (1) include information on how a person may appeal an
13 action by the district or school that the person believes to be in
14 violation of this section or a policy adopted in accordance with
15 this section, including the appeals process under Section 7.057;

16 (2) require that the district or school provide a
17 response to a request made under this section not later than the
18 seventh school business day after receipt of the request by the
19 person to whom it must be submitted under Subsection (a-3) that
20 authorizes the request or states the reason for denying the
21 request;

22 (3) except as provided by Subdivision (5), require
23 that a school or a campus begin operation of a video camera in
24 compliance with this section not later than the 45th school
25 business day, or the first school day after the 45th school business
26 day if that day is not a school day, after the request is authorized
27 unless the agency grants an extension of time;

1 (4) permit the parent of a student whose admission,
2 review, and dismissal committee has determined that the student's
3 placement for the following school year will be in a special
4 education classroom or other special education setting in which a
5 video camera may be placed under this section to make a request for
6 the video camera by the later of:

7 (A) the date on which the current school year
8 ends; or

9 (B) the 10th school business day after the date
10 of the placement determination by the admission, review, and
11 dismissal committee; and

12 (5) if a request is made by a parent in compliance with
13 Subdivision (4), unless the agency grants an extension of time,
14 require that a school or campus begin operation of a video camera in
15 compliance with this section not later than the later of:

16 (A) the 10th school day of the fall semester; or

17 (B) the 45th school business day, or the first
18 school day after the 45th school business day if that day is not a
19 school day, after the date the request is made.

20 (q) The agency shall collect through the Public Education
21 Information Management System (PEIMS) data relating to requests
22 made under this section and actions taken by a school district or
23 open-enrollment charter school in response to a request, including
24 the number of requests made, authorized, and denied.

25 (s) This section applies to the placement, operation, and
26 maintenance of a video camera in a special education
27 [~~self-contained~~] classroom or other special education setting

1 during the regular school year and extended school year services.

2 (t) A video camera placed under this section is not required
3 to be in operation for the time during which students are not
4 present in the special education classroom or other special
5 education setting.

6 SECTION 4.23. Sections 29.022(u)(3) and (4), Education
7 Code, are amended to read as follows:

8 (3) "Special education classroom or other special
9 education setting" means a classroom or setting primarily used for
10 delivering special education services to students who spend on
11 average less than 50 percent of an instructional day in a general
12 education classroom or setting [~~"Self-contained classroom" does~~
13 ~~not include a classroom that is a resource room instructional~~
14 ~~arrangement under Section 48.102~~].

15 (4) "Staff member" means a teacher, related service
16 provider, paraprofessional, counselor, or educational aide
17 assigned to work in a special education [~~self-contained~~] classroom
18 or other special education setting.

19 SECTION 4.24. Subchapter A, Chapter 29, Education Code, is
20 amended by adding Section 29.026 to read as follows:

21 Sec. 29.026. RULES. The commissioner may adopt rules as
22 necessary to implement this subchapter.

23 SECTION 4.25. The heading to Subchapter A-1, Chapter 29,
24 Education Code, is amended to read as follows:

25 SUBCHAPTER A-1. PARENT-DIRECTED [~~SUPPLEMENTAL SPECIAL EDUCATION~~]

26 SERVICES FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES

27 [PROGRAM]

1 SECTION 4.26. Sections 29.041(2) and (3), Education Code,
2 are amended to read as follows:

3 (2) "Supplemental [~~special education~~] instructional
4 materials" includes textbooks, computer hardware or software,
5 other technological devices, and other materials suitable for
6 addressing an educational need of a student receiving special
7 education services under Subchapter A.

8 (3) "Supplemental [~~special education~~] services" means
9 an additive service that provides an educational benefit to a
10 student receiving special education services under Subchapter A,
11 including:

12 (A) occupational therapy, physical therapy, and
13 speech therapy; and

14 (B) private tutoring and other supplemental
15 private instruction or programs.

16 SECTION 4.27. Section 29.042, Education Code, is amended by
17 amending Subsections (a) and (c) and adding Subsections (e) and (f)
18 to read as follows:

19 (a) The agency by rule shall establish and administer a
20 parent-directed [~~supplemental special education services and~~
21 ~~instructional materials~~] program for students receiving special
22 education services through which a parent may direct supplemental
23 services and supplemental instructional materials for the parent's
24 student [~~students~~] who meets [~~meet~~] the eligibility requirements
25 for participation in the program. Subject to Subsection (c), the
26 agency shall provide each student approved as provided by this
27 subchapter a grant of not more than \$1,500 to purchase supplemental

1 ~~[special education]~~ services and supplemental ~~[special education]~~
2 instructional materials. If the agency receives more acceptable
3 applications for a grant for a school year than available funding
4 for that school year, the agency shall place remaining students on a
5 waitlist for the subsequent school year.

6 (c) A student may receive one grant under this subchapter
7 unless the legislature appropriates money for an additional grant
8 in the General Appropriations Act ~~[The commissioner shall set aside~~
9 ~~an amount set by appropriation for each state fiscal year to fund~~
10 ~~the program under this section. For each state fiscal year, the~~
11 ~~total amount provided for student grants under Subsection (a) may~~
12 ~~not exceed the amount set aside by the commissioner under this~~
13 ~~subsection].~~

14 (e) The agency shall maintain an online user-friendly
15 application system for parents to apply for a grant described by
16 Subsection (a).

17 (f) A regional education service center designated to
18 administer the program under this subchapter for a school year is
19 entitled to receive not more than four percent of the amount
20 appropriated for purposes of making grants under this subchapter
21 for that school year for the costs of administering the program.

22 SECTION 4.28. Section 29.045, Education Code, is amended to
23 read as follows:

24 Sec. 29.045. APPROVAL OF APPLICATION; ASSIGNMENT OF
25 ACCOUNT. Subject to available funding the agency shall approve
26 each student who meets the program eligibility criteria established
27 under Section 29.044 and assign to the student an account

1 maintained under Section 29.042(b). The account may only be used by
2 the student's parent to purchase supplemental [~~special education~~]
3 services or supplemental [~~special education~~] instructional
4 materials for the student, subject to Sections 29.046 and 29.047.

5 SECTION 4.29. Sections 29.046(a) and (b), Education Code,
6 are amended to read as follows:

7 (a) Money in an account assigned to a student under Section
8 29.045 may be used only for supplemental [~~special education~~]
9 services and supplemental [~~special education~~] instructional
10 materials.

11 (b) Supplemental [~~special education~~] services must be
12 provided by an agency-approved provider.

13 SECTION 4.30. Sections 29.047(a), (c), (d), and (e),
14 Education Code, are amended to read as follows:

15 (a) The agency shall establish criteria necessary for
16 agency approval for each category of provider of a professional
17 service that is a supplemental [~~special education~~] service, as
18 identified by the agency.

19 (c) The agency shall provide a procedure for providers of
20 supplemental [~~special education~~] services to apply to the agency to
21 become an agency-approved provider.

22 (d) The agency may establish criteria for agency approval of
23 vendors for each category of supplemental [~~special education~~]
24 instructional materials identified by the agency.

25 (e) If the agency establishes criteria for agency approval
26 for a vendor of a category of supplemental [~~special education~~]
27 instructional materials, the agency shall provide a procedure for

1 vendors of that category to apply to the agency to become an
2 agency-approved vendor.

3 SECTION 4.31. Subchapter A-1, Chapter 29, Education Code,
4 is amended by adding Section 29.0475 to read as follows:

5 Sec. 29.0475. PROGRAM PARTICIPANT, PROVIDER, AND VENDOR
6 AUTONOMY. (a) A provider of supplemental services or vendor of
7 supplemental instructional materials that receives money
8 distributed under the program is not a recipient of federal
9 financial assistance on the basis of receiving that money.

10 (b) A rule adopted or action taken related to the program by
11 an individual, governmental entity, court of law, or program
12 administrator may not:

13 (1) consider the actions of a provider of supplemental
14 services, vendor of supplemental instructional materials, or
15 program participant to be the actions of an agent of state
16 government;

17 (2) limit:

18 (A) a provider of supplemental services' ability
19 to determine the methods used to educate the provider's students or
20 to exercise the provider's religious or institutional values; or

21 (B) a program participant's ability to determine
22 the participant's educational content or to exercise the
23 participant's religious values;

24 (3) obligate a provider of supplemental services or
25 program participant to act contrary to the provider's or
26 participant's religious or institutional values, as applicable;

27 (4) impose any regulation on a provider of

1 supplemental services, vendor of supplemental instructional
2 materials, or program participant beyond those regulations
3 necessary to enforce the requirements of the program; or

4 (5) require as a condition of receiving money
5 distributed under the program:

6 (A) a provider of supplemental services to modify
7 the provider's creed, practices, admissions policies, curriculum,
8 performance standards, employment policies, or assessments; or

9 (B) a program participant to modify the
10 participant's creed, practices, curriculum, performance standards,
11 or assessments.

12 (c) In a proceeding challenging a rule adopted by a state
13 agency or officer under this subchapter, the agency or officer has
14 the burden of proof to establish by clear and convincing evidence
15 that the rule:

16 (1) is necessary to implement or enforce the program
17 as provided by this subchapter;

18 (2) does not violate this section;

19 (3) does not impose an undue burden on a program
20 participant or a provider of supplemental services or vendor of
21 supplemental instructional materials that participates or applies
22 to participate in the program; and

23 (4) is the least restrictive means of accomplishing
24 the purpose of the program while recognizing the independence of a
25 provider of supplemental services to meet the educational needs of
26 students in accordance with the provider's religious or
27 institutional values.

1 SECTION 4.32. Section 29.048, Education Code, is amended to
2 read as follows:

3 Sec. 29.048. ADMISSION, REVIEW, AND DISMISSAL COMMITTEE
4 DUTIES. (a) A student's admission, review, and dismissal
5 committee shall develop a student's individualized education
6 program under Section 29.005, in compliance with the Individuals
7 with Disabilities Education Act (20 U.S.C. Section 1400 et seq.),
8 without consideration of any supplemental [~~special education~~]
9 services or supplemental instructional materials that may be
10 provided under the program under this subchapter.

11 (b) Unless the district first verifies that an account has
12 been assigned to the student under Section 29.045, the [~~The~~]
13 admission, review, and dismissal committee of a student approved
14 for participation in the program shall provide to the student's
15 parent at an admission, review, and dismissal committee meeting for
16 the student:

17 (1) information regarding the types of supplemental
18 [~~special education~~] services or supplemental instructional
19 materials available under the program and provided by
20 agency-approved providers for which an account maintained under
21 Section 29.042(b) for the student may be used; and

22 (2) instructions regarding accessing an account
23 described by Subdivision (1).

24 SECTION 4.33. Subchapter A-1, Chapter 29, Education Code,
25 is amended by adding Section 29.0485 to read as follows:

26 Sec. 29.0485. DETERMINATION OF COMMISSIONER FINAL.
27 Notwithstanding Section 7.057, a determination of the commissioner

1 under this subchapter is final and may not be appealed.

2 SECTION 4.34. Section 29.049, Education Code, is amended to
3 read as follows:

4 Sec. 29.049. RULES. The commissioner shall adopt rules as
5 necessary to administer the supplemental [~~special education~~]
6 services and supplemental instructional materials program under
7 this subchapter.

8 SECTION 4.35. Section 29.301(1), Education Code, is amended
9 to read as follows:

10 (1) "Admission, review, and dismissal committee"
11 means the committee required by [~~State Board of Education rules to~~
12 ~~develop the individualized education program required by~~] the
13 Individuals with Disabilities Education Act (20 U.S.C. Section 1400
14 et seq.) for any student needing special education.

15 SECTION 4.36. Sections 29.304(a) and (c), Education Code,
16 are amended to read as follows:

17 (a) A student who is deaf or hard of hearing must have an
18 education in which teachers, psychologists, speech language
19 pathologists [~~therapists~~], progress assessors, administrators, and
20 others involved in education understand the unique nature of
21 deafness and the hard-of-hearing condition. A teacher of students
22 who are deaf or hard of hearing either must be proficient in
23 appropriate language modes or use an interpreter certified in
24 appropriate language modes if certification is available.

25 (c) General [~~Regular~~] and special education personnel who
26 work with students who are deaf or hard of hearing must be
27 adequately prepared to provide educational instruction and

1 services to those students.

2 SECTION 4.37. Section 29.310, Education Code, is amended by
3 amending Subsection (c) and adding Subsection (d) to read as
4 follows:

5 (c) The procedures and materials for the assessment and
6 placement of a student who is deaf or hard of hearing shall be in the
7 student's preferred mode of communication. All other procedures
8 and materials used with any student who is deaf or hard of hearing
9 and who is an emergent bilingual student as defined by Section
10 29.052 [~~has limited English proficiency~~] shall be in the student's
11 preferred mode of communication.

12 (d) In recognizing the need for development of language and
13 communication abilities in students who are deaf or hard of hearing
14 but also calling for the use of methods of communication that will
15 meet the needs of each individual student, each student who is deaf
16 or hard of hearing must be thoroughly assessed to ascertain the
17 student's potential for communicating through a variety of means.

18 SECTION 4.38. Section 29.313, Education Code, is amended to
19 read as follows:

20 Sec. 29.313. EVALUATION OF DEAF AND HARD OF HEARING
21 SERVICES [~~PROGRAMS~~]. (a) Each school district must provide
22 continuous evaluation of the effectiveness of the district's
23 services [~~programs of the district~~] for students who are deaf or
24 hard of hearing. The [~~If practicable,~~] evaluations shall follow
25 program excellence indicators established by the agency.

26 (b) Each school district shall submit the evaluations under
27 this section to the agency on a schedule set by the agency.

1 SECTION 4.39. Section 29.314, Education Code, is amended to
2 read as follows:

3 Sec. 29.314. TRANSITION INTO GENERAL EDUCATION [~~REGULAR~~]
4 CLASS. In addition to satisfying requirements of the admission,
5 review, and dismissal committee and to satisfying requirements
6 under state and federal law for vocational training, each school
7 district shall develop and implement a transition plan for the
8 transition of a student who is deaf or hard of hearing into a
9 general education [~~regular~~] class [~~program~~] if the student is to be
10 transferred from a special class or center or nonpublic,
11 nonsectarian school into a general education [~~regular~~] class in a
12 public school for any part of the school day. The transition plan
13 must provide for activities:

14 (1) to integrate the student into the general
15 [~~regular~~] education program and specify the nature of each activity
16 and the time spent on the activity each day; and

17 (2) to support the transition of the student from the
18 special education program into the general [~~regular~~] education
19 program.

20 SECTION 4.40. Section 29.315, Education Code, is amended to
21 read as follows:

22 Sec. 29.315. TEXAS SCHOOL FOR THE DEAF MEMORANDUM OF
23 UNDERSTANDING. The Texas Education Agency and the Texas School for
24 the Deaf shall develop [~~agree to, and by commissioner rule adopt no~~
25 ~~later than September 1, 1998,~~] a memorandum of understanding to
26 establish:

27 (1) the method for developing and reevaluating a set

1 of indicators of the quality of learning at the Texas School for the
2 Deaf;

3 (2) the process for the agency to conduct and report on
4 an annual evaluation of the school's performance on the indicators;

5 (3) the requirements for the school's board to
6 publish, discuss, and disseminate an annual report describing the
7 educational performance of the school; and

8 ~~(4) [the process for the agency to assign an~~
9 ~~accreditation status to the school, to reevaluate the status on an~~
10 ~~annual basis, and, if necessary, to conduct monitoring reviews; and~~

11 ~~(5)]~~ the type of information the school shall be
12 required to provide through the Public Education Information
13 Management System (PEIMS).

14 SECTION 4.41. Section [29.316](#), Education Code, is amended to
15 read as follows:

16 Sec. 29.316. LANGUAGE ACQUISITION. (a) In this section,
17 "language [+

18 ~~(1) "Center" means the Educational Resource Center on~~
19 ~~Deafness at the Texas School for the Deaf.~~

20 ~~(2) "Division" means the Division for Early Childhood~~
21 ~~Intervention Services of the Health and Human Services Commission.~~

22 ~~(3) "Language~~ acquisition" includes expressive and
23 receptive language acquisition and literacy development in
24 English, American Sign Language, or both, or, if applicable, in
25 another language primarily used by a child's parent or guardian,
26 and is separate from any modality used to communicate in the
27 applicable language or languages.

1 (b) Each school district [~~The commissioner and the~~
2 ~~executive commissioner of the Health and Human Services Commission~~
3 ~~jointly~~] shall ensure that the language acquisition of each child
4 eight years of age or younger who is deaf or hard of hearing is
5 regularly assessed using a tool or assessment approved by the
6 commissioner [~~determined to be valid and reliable as provided by~~
7 ~~Subsection (d)~~].

8 (c) On a schedule determined by the commissioner, each
9 school district shall report to the commissioner through the Public
10 Education Information Management System (PEIMS) or another method
11 set by commissioner rule the assessment data collected under
12 Subsection (b) [~~Not later than August 31 of each year, the agency,~~
13 ~~the division, and the center jointly shall prepare and post on the~~
14 ~~agency's, the division's, and the center's respective Internet~~
15 ~~websites a report on the language acquisition of children eight~~
16 ~~years of age or younger who are deaf or hard of hearing. The report~~
17 ~~must:~~

18 [~~(1) include:~~

19 [~~(A) existing data reported in compliance with~~
20 ~~federal law regarding children with disabilities, and~~

21 [~~(B) information relating to the language~~
22 ~~acquisition of children who are deaf or hard of hearing and also~~
23 ~~have other disabilities,~~

24 [~~(2) state for each child:~~

25 [~~(A) the instructional arrangement used with the~~
26 ~~child, as described by Section 48.102, including the time the child~~
27 ~~spends in a mainstream instructional arrangement,~~

1 ~~[(B) the specific language acquisition services~~
2 ~~provided to the child, including:~~

3 ~~[(i) the time spent providing those~~
4 ~~services; and~~

5 ~~[(ii) a description of any hearing~~
6 ~~amplification used in the delivery of those services, including:~~

7 ~~[(a) the type of hearing~~
8 ~~amplification used;~~

9 ~~[(b) the period of time in which the~~
10 ~~child has had access to the hearing amplification; and~~

11 ~~[(c) the average amount of time the~~
12 ~~child uses the hearing amplification each day;~~

13 ~~[(C) the tools or assessments used to assess the~~
14 ~~child's language acquisition and the results obtained;~~

15 ~~[(D) the preferred unique communication mode~~
16 ~~used by the child at home; and~~

17 ~~[(E) the child's age, race, and gender, the age~~
18 ~~at which the child was identified as being deaf or hard of hearing,~~
19 ~~and any other relevant demographic information the commissioner~~
20 ~~determines to likely be correlated with or have an impact on the~~
21 ~~child's language acquisition;~~

22 ~~[(3) compare progress in English literacy made by~~
23 ~~children who are deaf or hard of hearing to progress in that subject~~
24 ~~made by children of the same age who are not deaf or hard of hearing,~~
25 ~~by appropriate age range; and~~

26 ~~[(4) be redacted as necessary to comply with state and~~
27 ~~federal law regarding the confidentiality of student medical or~~

1 ~~educational information]~~.

2 (d) The commissioner [~~, the executive commissioner of the~~
3 ~~Health and Human Services Commission, and the center]~~ shall adopt
4 rules establishing the assessment data required to be reported
5 under Subsection (c) [~~enter into a memorandum of understanding~~
6 ~~regarding:~~

7 [~~(1) the identification of experts in deaf education,~~
8 ~~and~~

9 [~~(2) the determination, in consultation with those~~
10 ~~experts, of the tools and assessments that are valid and reliable,~~
11 ~~in both content and administration, for use in assessing the~~
12 ~~language acquisition of children eight years of age or younger who~~
13 ~~are deaf or hard of hearing]~~.

14 (e) The commissioner shall annually post on the agency's
15 Internet website a report on the language acquisition of children
16 eight years of age or younger who are deaf or hard of hearing using
17 the assessment data reported under Subsection (c) [~~agency shall use~~
18 ~~existing collected data and data collected and transferred from the~~
19 ~~Department of State Health Services and the Health and Human~~
20 ~~Services Commission, as agreed upon in the memorandum of~~
21 ~~understanding, for the report under this section]~~.

22 (f) The commissioner shall use the assessment data reported
23 under Subsection (c) in determining whether to award a grant under
24 Section 29.018 or in seeking federal money available for projects
25 aimed at improving outcomes for students with disabilities [~~and the~~
26 ~~executive commissioner of the Health and Human Services Commission~~
27 ~~jointly shall adopt rules as necessary to implement this section,~~

1 including rules for:

2 ~~[(1) assigning each child eight years of age or~~
3 ~~younger who is deaf or hard of hearing a unique identification~~
4 ~~number for purposes of the report required under Subsection (c) and~~
5 ~~to enable the tracking of the child's language acquisition, and~~
6 ~~factors affecting the child's language acquisition, over time, and~~

7 ~~[(2) implementing this section in a manner that~~
8 ~~complies with federal law regarding confidentiality of student~~
9 ~~medical or educational information, including the Health Insurance~~
10 ~~Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d~~
11 ~~et seq.) and the Family Educational Rights and Privacy Act of 1974~~
12 ~~(20 U.S.C. Section 1232g), and any state law relating to the privacy~~
13 ~~of student information].~~

14 SECTION 4.42. The heading to Section 30.002, Education
15 Code, is amended to read as follows:

16 Sec. 30.002. STATE PLAN [EDUCATION] FOR CHILDREN WITH
17 VISUAL IMPAIRMENTS, WHO ARE DEAF OR HARD OF HEARING, OR WHO ARE
18 DEAF-BLIND.

19 SECTION 4.43. Sections 30.002(a), (b), (c), and (e),
20 Education Code, are amended to read as follows:

21 (a) The agency shall develop and administer a comprehensive
22 statewide plan for the education of children ~~[with visual~~
23 ~~impairments]~~ who are under 22 [21] years of age and who have visual
24 impairments, are deaf or hard of hearing, or are deaf-blind that
25 will ensure that the children have an opportunity for achievement
26 equal to the opportunities afforded their peers who do not have
27 visual impairments, are not deaf or hard of hearing, or are not

1 deaf-blind [~~with normal vision~~].

2 (b) The agency shall:

3 (1) develop standards and guidelines for all special
4 education and related services for children who have visual
5 impairments, are deaf or hard of hearing, or are deaf-blind [~~with~~
6 ~~visual impairments~~] that it is authorized to provide or support
7 under this code and federal law;

8 (2) supervise regional education service centers and
9 other entities in assisting school districts in serving children
10 who have visual impairments, are deaf or hard of hearing, or are
11 deaf-blind [~~with visual impairments~~] more effectively; and

12 [~~develop and administer special education~~
13 ~~services for students with both serious visual and auditory~~
14 ~~impairments;~~

15 [~~(4) evaluate special education services provided for~~
16 ~~children with visual impairments by school districts and approve or~~
17 ~~disapprove state funding of those services; and~~

18 [~~(5)~~] maintain an effective liaison between special
19 education programs provided for children who have visual
20 impairments, are deaf or hard of hearing, or are deaf-blind [~~with~~
21 ~~visual impairments~~] by school districts and related initiatives of
22 the Health and Human Services Commission, [~~the Department of State~~
23 ~~Health Services Mental Health and Substance Abuse Division,~~] the
24 Texas Workforce Commission, and other related programs, agencies,
25 or facilities as appropriate.

26 (c) The comprehensive statewide plan for the education of
27 children who have visual impairments, are deaf or hard of hearing,

1 or are deaf-blind [~~with visual impairments~~] must:

2 (1) adequately provide for comprehensive diagnosis
3 and evaluation of each school-age child who has a visual
4 impairment, is deaf or hard of hearing, or is deaf-blind and
5 adequately outline the expectations of a school district for such a
6 child under three years of age [~~with a serious visual impairment~~];

7 (2) include the procedures, format, and content of the
8 individualized education program for each child who has a visual
9 impairment, is deaf or hard of hearing, or is deaf-blind [~~with a~~
10 ~~visual impairment~~];

11 (3) emphasize providing educational services to
12 children who have visual impairments, are deaf or hard of hearing,
13 or are deaf-blind [~~with visual impairments~~] in their home
14 communities whenever possible;

15 (4) include information regarding the establishment
16 of regional day school programs for the deaf under Subchapter D and
17 the parameters of those programs [~~methods to ensure that children~~
18 ~~with visual impairments receiving special education services in~~
19 ~~school districts receive, before being placed in a classroom~~
20 ~~setting or within a reasonable time after placement:~~

21 [~~(A) evaluation of the impairment, and~~

22 [~~(B) instruction in an expanded core curriculum,~~
23 ~~which is required for students with visual impairments to succeed~~
24 ~~in classroom settings and to derive lasting, practical benefits~~
25 ~~from the education provided by school districts, including~~
26 ~~instruction in:~~

27 [~~(i) compensatory skills, such as braille~~

1 ~~and concept development, and other skills needed to access the rest~~
2 ~~of the curriculum;~~

3 ~~[(ii) orientation and mobility;~~

4 ~~[(iii) social interaction skills;~~

5 ~~[(iv) career planning;~~

6 ~~[(v) assistive technology, including~~
7 ~~optical devices;~~

8 ~~[(vi) independent living skills;~~

9 ~~[(vii) recreation and leisure enjoyment;~~

10 ~~[(viii) self-determination; and~~

11 ~~[(ix) sensory efficiency];~~

12 (5) provide for flexibility on the part of school
13 districts to meet the unique ~~[special]~~ needs of children who have
14 visual impairments, are deaf or hard of hearing, or are deaf-blind
15 ~~[with visual impairments]~~ through:

16 (A) specialty staff and resources provided by the
17 district;

18 (B) contractual arrangements with other
19 qualified public or private agencies;

20 (C) supportive assistance from regional
21 education service centers or adjacent school districts;

22 (D) short-term or long-term services through the
23 Texas School for the Blind and Visually Impaired, the Texas School
24 for the Deaf, regional day school programs for the deaf, or related
25 facilities or programs; or

26 (E) other instructional and service arrangements
27 approved by the agency;

1 (6) [~~include a statewide admission, review, and~~
2 ~~dismissal process,~~

3 ~~[(7)]~~ provide for effective interaction between the
4 ~~[visually impaired child's]~~ classroom setting of the child who has
5 a visual impairment, is deaf or hard of hearing, or is deaf-blind
6 and the child's home environment, including providing for parental
7 training and counseling either by school district staff or by
8 representatives of other organizations directly involved in the
9 development and implementation of the individualized education
10 program for the child;

11 (7) describe recommended and required professional
12 development activities based on the special education and related
13 services provided by school district staff to children who have
14 visual impairments, are deaf or hard of hearing, or are deaf-blind
15 ~~[(8) require the continuing education and professional~~
16 ~~development of school district staff providing special education~~
17 ~~services to children with visual impairments];~~

18 (8) [(9)] provide for adequate monitoring and precise
19 evaluation of special education services provided to children who
20 have visual impairments, are deaf or hard of hearing, or are
21 deaf-blind [~~with visual impairments~~] through school districts;
22 [~~and~~]

23 (9) [(10)] require that school districts providing
24 special education services to children who have visual impairments,
25 are deaf or hard of hearing, or are deaf-blind [~~with visual~~
26 ~~impairments~~] develop procedures for assuring that staff assigned to
27 work with the children have prompt and effective access directly to

1 resources available through:

2 (A) cooperating agencies in the area;

3 (B) the Texas School for the Blind and Visually
4 Impaired;

5 (C) the Texas School for the Deaf;

6 (D) the statewide outreach center at the Texas
7 School for the Deaf;

8 (E) the Central Media Depository for specialized
9 instructional materials and aids made specifically for use by
10 students with visual impairments;

11 (F) [~~(D)~~] sheltered workshops participating in
12 the state program of purchases of blind-made goods and services;
13 and

14 (G) [~~(E)~~] related sources; and

15 (10) assist in the coordination of educational
16 programs with other public and private agencies, including:

17 (A) agencies operating early childhood
18 intervention programs;

19 (B) preschools;

20 (C) agencies operating child development
21 programs;

22 (D) private nonsectarian schools;

23 (E) agencies operating regional occupational
24 centers and programs; and

25 (F) as appropriate, postsecondary and adult
26 programs for persons who are deaf or hard of hearing.

27 (e) Each eligible [~~blind or visually impaired~~] student who

1 has a visual impairment, is deaf or hard of hearing, or is
2 deaf-blind is entitled to receive educational programs according to
3 an individualized education program that:

4 (1) is developed in accordance with federal and state
5 requirements for providing special education services;

6 (2) is developed by a committee composed as required
7 by federal law;

8 (3) reflects that the student has been provided a
9 detailed explanation of the various service resources available to
10 the student in the community and throughout the state;

11 (4) provides a detailed description of the
12 arrangements made to provide the student with the evaluation and
13 instruction required under this subchapter and Subchapter A,
14 Chapter 29 [~~Subsection (c)(4)~~]; and

15 (5) sets forth the plans and arrangements made for
16 contacts with and continuing services to the student beyond regular
17 school hours to ensure the student learns the skills and receives
18 the instruction required under this subchapter and Subchapter A,
19 Chapter 29 [~~Subsection (c)(4)(B)~~].

20 SECTION 4.44. Subchapter A, Chapter 30, Education Code, is
21 amended by adding Section 30.0021 to read as follows:

22 Sec. 30.0021. REQUIREMENTS FOR CHILDREN WITH VISUAL
23 IMPAIRMENTS. (a) Each child with a visual impairment must receive
24 instruction in an expanded core curriculum required for children
25 with visual impairments to succeed in classroom settings and to
26 derive lasting, practical benefits from education in a school
27 district, including instruction in:

1 (1) compensatory skills, such as braille and concept
2 development, and other skills necessary to access the rest of the
3 curriculum;

4 (2) orientation and mobility;

5 (3) social interaction skills;

6 (4) career education;

7 (5) assistive technology, including optical devices;

8 (6) independent living skills;

9 (7) recreation and leisure enjoyment;

10 (8) self-determination; and

11 (9) sensory efficiency.

12 (b) To determine a child's eligibility for a school
13 district's special education program under Subchapter A, Chapter
14 29, on the basis of a visual impairment, the full individual and
15 initial evaluation of the child under Section 29.004 and any
16 reevaluation of the child must, in accordance with commissioner
17 rule:

18 (1) include an orientation and mobility evaluation
19 conducted:

20 (A) by a person who is appropriately certified as
21 an orientation and mobility specialist, as determined by
22 commissioner rule; and

23 (B) in a variety of lighting conditions and
24 settings, including in the child's home, school, and community and
25 in settings unfamiliar to the child; and

26 (2) provide for a person who is appropriately
27 certified as an orientation and mobility specialist, as determined

1 by commissioner rule, to participate, as part of a
2 multidisciplinary team, in evaluating the data on which the
3 determination of the child's eligibility is based.

4 (c) In developing an individualized education program under
5 Section 29.005 for a child with a visual impairment, proficiency in
6 reading and writing must be a significant indicator of the child's
7 satisfactory educational progress. The individualized education
8 program must include instruction in braille and the use of braille
9 unless the child's admission, review, and dismissal committee
10 documents a determination, based on an evaluation of the child's
11 appropriate literacy media and literacy skills and the child's
12 current and future instructional needs, that braille is not an
13 appropriate literacy medium for the child.

14 (d) Braille instruction:

15 (1) may be used in combination with other special
16 education services appropriate to the educational needs of a child
17 with a visual impairment; and

18 (2) must be provided by a teacher certified to teach
19 children with visual impairments under Subchapter B, Chapter 21.

20 (e) A school district shall provide to each person assisting
21 in the development of an individualized education program for a
22 child with a visual impairment information describing the benefits
23 of braille instruction.

24 (f) To facilitate implementation of this section, the
25 commissioner shall develop a system to distribute from the
26 foundation school fund to school districts or regional education
27 service centers a special supplemental allowance for each student

1 with a visual impairment. The supplemental allowance may be spent
2 only for special education services uniquely required by the nature
3 of the child's disabilities and may not be used in lieu of
4 educational funds otherwise available under this code or through
5 state or local appropriations.

6 SECTION 4.45. Section 30.003, Education Code, is amended by
7 amending Subsections (b), (d), (f-1), and (g) and adding Subsection
8 (b-1) to read as follows:

9 (b) If the student is admitted to the school for a full-time
10 program for the equivalent of two long semesters, the district's
11 share of the cost is an amount equal to the dollar amount of
12 maintenance and debt service taxes imposed by the district for that
13 year, subject to Subsection (b-1), divided by the district's
14 average daily attendance for the preceding year.

15 (b-1) The commissioner shall reduce the amount of
16 maintenance taxes imposed by the district that are obligated to be
17 paid under Subsection (b) for a year by the amount, if any, by which
18 the district is required to reduce the district's local revenue
19 level under Section 48.257 for that year.

20 (d) Each school district and state institution shall
21 provide to the commissioner the necessary information to determine
22 the district's share under this section. The information must be
23 reported to the commissioner on or before a date set by commissioner
24 rule [~~of the State Board of Education~~]. After determining the
25 amount of a district's share for all students for which the district
26 is responsible, the commissioner shall deduct that amount from the
27 payments of foundation school funds payable to the district. Each

1 deduction shall be in the same percentage of the total amount of the
2 district's share as the percentage of the total foundation school
3 fund entitlement being paid to the district at the time of the
4 deduction, except that the amount of any deduction may be modified
5 to make necessary adjustments or to correct errors. The
6 commissioner shall provide for remitting the amount deducted to the
7 appropriate school at the same time at which the remaining funds are
8 distributed to the district. If a district does not receive
9 foundation school funds or if a district's foundation school
10 entitlement is less than the amount of the district's share under
11 this section, the commissioner shall direct the district to remit
12 payment to the commissioner, and the commissioner shall remit the
13 district's share to the appropriate school.

14 (f-1) The commissioner shall determine the total amount
15 that the Texas School for the Blind and Visually Impaired and the
16 Texas School for the Deaf would have received from school districts
17 in accordance with this section if the following provisions had not
18 reduced the districts' share of the cost of providing education
19 services:

20 (1) H.B. No. 1, Acts of the 79th Legislature, 3rd
21 Called Session, 2006;

22 (2) Subsection (b-1) of this section;

23 (3) Section 45.0032;

24 (4) [~~3~~] Section 48.255; and

25 (5) [~~4~~] Section 48.2551.

26 (g) The commissioner [~~State Board of Education~~] may adopt
27 rules as necessary to implement this section.

1 SECTION 4.46. Section 30.004(b), Education Code, is amended
2 to read as follows:

3 (b) The commissioner [~~State Board of Education~~] shall adopt
4 rules prescribing the form and content of information required by
5 Subsection (a).

6 SECTION 4.47. Section 30.005, Education Code, is amended to
7 read as follows:

8 Sec. 30.005. TEXAS SCHOOL FOR THE BLIND AND VISUALLY
9 IMPAIRED MEMORANDUM OF UNDERSTANDING. The Texas Education Agency
10 and the Texas School for the Blind and Visually Impaired shall
11 develop[~~, agree to, and by commissioner rule adopt~~] a memorandum of
12 understanding to establish:

13 (1) the method for developing and reevaluating a set
14 of indicators of the quality of learning at the Texas School for the
15 Blind and Visually Impaired;

16 (2) the process for the agency to conduct and report on
17 an annual evaluation of the school's performance on the indicators;

18 (3) the requirements for the school's board to
19 publish, discuss, and disseminate an annual report describing the
20 educational performance of the school; and

21 (4) [~~the process for the agency to:~~
22 [~~(A) assign an accreditation status to the~~
23 ~~school,~~

24 [~~(B) reevaluate the status on an annual basis,~~
25 ~~and~~

26 [~~(C) if necessary, conduct monitoring reviews,~~
27 ~~and~~

1 [~~45~~] the type of information the school shall be
2 required to provide through the Public Education Information
3 Management System (PEIMS).

4 SECTION 4.48. Section 30.021(e), Education Code, is amended
5 to read as follows:

6 (e) The school shall cooperate with public and private
7 agencies and organizations serving students and other persons with
8 visual impairments in the planning, development, and
9 implementation of effective educational and rehabilitative service
10 delivery systems associated with educating students with visual
11 impairments. To maximize and make efficient use of state
12 facilities, funding, and resources, the services provided in this
13 area may include conducting a cooperative program with other
14 agencies to serve students who have graduated from high school by
15 completing all academic requirements applicable to students in
16 general [~~regular~~] education, excluding satisfactory performance
17 under Section 39.025, who are younger than 22 years of age on
18 September 1 of the school year and who have identified needs related
19 to vocational training, independent living skills, orientation and
20 mobility, social and leisure skills, compensatory skills, or
21 remedial academic skills.

22 SECTION 4.49. Section 30.081, Education Code, is amended to
23 read as follows:

24 Sec. 30.081. LEGISLATIVE INTENT CONCERNING REGIONAL DAY
25 SCHOOLS FOR THE DEAF. The legislature, by this subchapter, intends
26 to continue a process of providing on a statewide basis a suitable
27 education to deaf or hard of hearing students who are under 22 [~~21~~]

1 years of age and assuring that those students have the opportunity
2 to become independent citizens.

3 SECTION 4.50. Section 30.083, Education Code, is amended to
4 read as follows:

5 Sec. 30.083. STATEWIDE PLAN. [~~(a)~~] The director of
6 services shall develop and administer a comprehensive statewide
7 plan for educational services for students who are deaf or hard of
8 hearing and receive special education and related services through
9 a regional day school program for the deaf [~~, including continuing~~
10 ~~diagnosis and evaluation, counseling, and teaching~~]. The plan
11 shall be included as part of the comprehensive statewide plan under
12 Section 30.002 [~~designed to accomplish the following objectives:~~

13 [~~(1) providing assistance and counseling to parents of~~
14 ~~students who are deaf or hard of hearing in regional day school~~
15 ~~programs for the deaf and admitting to the programs students who~~
16 ~~have a hearing loss that interferes with the processing of~~
17 ~~linguistic information;~~

18 [~~(2) enabling students who are deaf or hard of hearing~~
19 ~~to reside with their parents or guardians and be provided an~~
20 ~~appropriate education in their home school districts or in regional~~
21 ~~day school programs for the deaf;~~

22 [~~(3) enabling students who are deaf or hard of hearing~~
23 ~~who are unable to attend schools at their place of residence and~~
24 ~~whose parents or guardians live too far from facilities of regional~~
25 ~~day school programs for the deaf for daily commuting to be~~
26 ~~accommodated in foster homes or other residential school facilities~~
27 ~~provided for by the agency so that those children may attend a~~

1 ~~regional day school program for the deaf;~~

2 ~~[(4) enrolling in the Texas School for the Deaf those~~
3 ~~students who are deaf or hard of hearing whose needs can best be met~~
4 ~~in that school and designating the Texas School for the Deaf as the~~
5 ~~statewide educational resource for students who are deaf or hard of~~
6 ~~hearing;~~

7 ~~[(5) encouraging students in regional day school~~
8 ~~programs for the deaf to attend general education classes on a~~
9 ~~part-time, full-time, or trial basis; and~~

10 ~~[(6) recognizing the need for development of language~~
11 ~~and communications abilities in students who are deaf or hard of~~
12 ~~hearing, but also calling for the use of methods of communication~~
13 ~~that will meet the needs of each individual student, with each~~
14 ~~student assessed thoroughly so as to ascertain the student's~~
15 ~~potential for communications through a variety of means, including~~
16 ~~through oral or aural means, fingerspelling, or sign language].~~

17 ~~[(b) The director of services may establish separate~~
18 ~~programs to accommodate diverse communication methodologies.]~~

19 SECTION 4.51. Section [37.146](#)(a), Education Code, is amended
20 to read as follows:

21 (a) A complaint alleging the commission of a school offense
22 must, in addition to the requirements imposed by Article [45A.101](#),
23 Code of Criminal Procedure:

24 (1) be sworn to by a person who has personal knowledge
25 of the underlying facts giving rise to probable cause to believe
26 that an offense has been committed; and

27 (2) be accompanied by a statement from a school

1 employee stating:

2 (A) whether the child is eligible for or receives
3 special education services under Subchapter A, Chapter 29; and

4 (B) the graduated sanctions, if required under
5 Section 37.144, that were imposed on the child before the complaint
6 was filed.

7 SECTION 4.52. Section 38.003(c-1), Education Code, is
8 amended to read as follows:

9 (c-1) The agency by rule shall develop procedures designed
10 to allow the agency to:

11 (1) effectively audit and monitor and periodically
12 conduct site visits of all school districts to ensure that
13 districts are complying with this section, including the program
14 approved by the State Board of Education under this section;

15 (2) identify any problems school districts experience
16 in complying with this section, including the program approved by
17 the State Board of Education under this section;

18 (3) develop reasonable and appropriate remedial
19 strategies to address school district noncompliance and ensure the
20 purposes of this section are accomplished, which may include the
21 publication of a recommended evidence-based dyslexia program list;

22 [~~and~~]

23 (4) solicit input from parents of students enrolled in
24 a school district during the auditing and monitoring of the
25 district under Subdivision (1) regarding the district's
26 implementation of the program approved by the State Board of
27 Education under this section; and

1 (5) engage in general supervision activities,
2 including activities under the comprehensive system for monitoring
3 described by Section 29.010, to ensure school district compliance
4 with the program approved by the State Board of Education under this
5 section and Part B, Individuals with Disabilities Education Act (20
6 U.S.C. Section 1411 et seq.).

7 SECTION 4.53. Section 48.009(b), Education Code, is amended
8 to read as follows:

9 (b) The commissioner by rule shall require each school
10 district and open-enrollment charter school to report through the
11 Public Education Information Management System information
12 regarding:

13 (1) the number of students enrolled in the district or
14 school who are identified as having dyslexia;

15 (2) the availability of school counselors, including
16 the number of full-time equivalent school counselors, at each
17 campus;

18 (3) the availability of expanded learning
19 opportunities as described by Section 33.252 at each campus;

20 (4) the total number of students, other than students
21 described by Subdivision (5), enrolled in the district or school
22 with whom the district or school, as applicable, used intervention
23 strategies, as that term is defined by Section 26.004, at any time
24 during the year for which the report is made;

25 (5) the total number of students enrolled in the
26 district or school to whom the district or school provided aids,
27 accommodations, or services under Section 504, Rehabilitation Act

1 of 1973 (29 U.S.C. Section 794), at any time during the year for
2 which the report is made;

3 (6) disaggregated by campus and grade, the number of:

4 (A) children who are required to attend school
5 under Section 25.085, are not exempted under Section 25.086, and
6 fail to attend school without excuse for 10 or more days or parts of
7 days within a six-month period in the same school year;

8 (B) students for whom the district initiates a
9 truancy prevention measure under Section 25.0915(a-4); and

10 (C) parents of students against whom an
11 attendance officer or other appropriate school official has filed a
12 complaint under Section 25.093; ~~and~~

13 (7) the number of students who are enrolled in a high
14 school equivalency program, a dropout recovery school, or an adult
15 education program provided under a high school diploma and industry
16 certification charter school program provided by the district or
17 school and who:

18 (A) are at least 18 years of age and under 26
19 years of age;

20 (B) have not previously been reported to the
21 agency as dropouts; and

22 (C) enroll in the program at the district or
23 school after not attending school for a period of at least nine
24 months; and

25 (8) students enrolled in a special education program
26 under Subchapter A, Chapter 29, as necessary for the agency to
27 adequately perform general supervision activities and determine

1 funding under Sections 48.102 and 48.1021.

2 SECTION 4.54. Section 48.102, Education Code, is amended to
3 read as follows:

4 Sec. 48.102. SPECIAL EDUCATION. (a) For each student in
5 average daily attendance in a special education program under
6 Subchapter A, Chapter 29, [~~in a mainstream instructional~~
7 ~~arrangement,~~] a school district is entitled to an annual allotment
8 equal to the basic allotment, or, if applicable, the sum of the
9 basic allotment and the allotment under Section 48.101 to which the
10 district is entitled, multiplied by a weight in an amount set by the
11 legislature in the General Appropriations Act for the highest tier
12 of intensity of service for which the student qualifies [1-15].

13 (a-1) Notwithstanding Subsection (a), for the 2026-2027
14 school year, the amount of an allotment under this section shall be
15 determined in accordance with Section 48.1022. This subsection
16 expires September 1, 2027. [~~For each full-time equivalent student~~
17 in average daily attendance in a special education program under
18 Subchapter A, Chapter 29, in an instructional arrangement other
19 than a mainstream instructional arrangement, a district is entitled
20 to an annual allotment equal to the basic allotment, or, if
21 applicable, the sum of the basic allotment and the allotment under
22 Section 48.101 to which the district is entitled, multiplied by a
23 weight determined according to instructional arrangement as
24 follows:

- 25 [Homebound] _____ 5.0
- 26 [Hospital class] _____ 3.0
- 27 [Speech therapy] _____ 5.0

1 ~~[Resource room~~ ~~3.0~~

2 ~~[Self-contained, mild and moderate, regular campus~~ ~~3.0~~

3 ~~[Self-contained, severe, regular campus~~ ~~3.0~~

4 ~~[Off home campus~~ ~~2.7~~

5 ~~[Nonpublic day school~~ ~~1.7~~

6 ~~[Vocational adjustment class~~ ~~2.3]~~

7 (b) The commissioner by rule shall define eight tiers of
8 intensity of service for use in determining funding under this
9 section. The commissioner must include one tier specifically
10 addressing students receiving special education services in
11 residential placement and one tier for students receiving only
12 speech therapy ~~[A special instructional arrangement for students~~
13 ~~with disabilities residing in care and treatment facilities, other~~
14 ~~than state schools, whose parents or guardians do not reside in the~~
15 ~~district providing education services shall be established by~~
16 ~~commissioner rule. The funding weight for this arrangement shall~~
17 ~~be 4.0 for those students who receive their education service on a~~
18 ~~local school district campus. A special instructional arrangement~~
19 ~~for students with disabilities residing in state schools shall be~~
20 ~~established by commissioner rule with a funding weight of 2.8].~~

21 (c) In defining the tiers of intensity of service under
22 Subsection (b), the commissioner shall consider:

23 (1) the type, frequency, and nature of services
24 provided to a student;

25 (2) the required certifications, licensures, or other
26 qualifications for personnel serving the student;

27 (3) any identified or curriculum-required

1 provider-to-student ratios for the student to receive the
2 appropriate services; and

3 (4) any equipment or technology required for the
4 services [~~For funding purposes, the number of contact hours~~
5 ~~credited per day for each student in the off home campus~~
6 ~~instructional arrangement may not exceed the contact hours credited~~
7 ~~per day for the multidistrict class instructional arrangement in~~
8 ~~the 1992-1993 school year].~~

9 (d) [~~For funding purposes the contact hours credited per day~~
10 ~~for each student in the resource room; self-contained, mild and~~
11 ~~moderate; and self-contained, severe, instructional arrangements~~
12 ~~may not exceed the average of the statewide total contact hours~~
13 ~~credited per day for those three instructional arrangements in the~~
14 ~~1992-1993 school year.~~

15 [~~(c) The commissioner by rule shall prescribe the~~
16 ~~qualifications an instructional arrangement must meet in order to~~
17 ~~be funded as a particular instructional arrangement under this~~
18 ~~section. In prescribing the qualifications that a mainstream~~
19 ~~instructional arrangement must meet, the commissioner shall~~
20 ~~establish requirements that students with disabilities and their~~
21 ~~teachers receive the direct, indirect, and support services that~~
22 ~~are necessary to enrich the regular classroom and enable student~~
23 ~~success.~~

24 [~~(f) In this section, "full-time equivalent student" means~~
25 ~~30 hours of contact a week between a special education student and~~
26 ~~special education program personnel.~~

27 [~~(g) The commissioner shall adopt rules and procedures~~

1 ~~governing contracts for residential placement of special education~~
2 ~~students. The legislature shall provide by appropriation for the~~
3 ~~state's share of the costs of those placements.~~

4 ~~[(h)]~~ At least 55 percent of the funds allocated under this
5 section must be used in the special education program under
6 Subchapter A, Chapter 29.

7 (e) ~~[(i)]~~ The agency shall ensure ~~[encourage]~~ the placement
8 of students in special education programs, including students in
9 residential placement ~~[instructional arrangements]~~, in the least
10 restrictive environment appropriate for their educational needs.

11 (f) ~~[(j)]~~ A school district that provides an extended year
12 program required by federal law for special education students who
13 may regress is entitled to receive funds in an amount equal to ~~[75~~
14 ~~percent, or a lesser percentage determined by the commissioner, of]~~
15 the basic allotment, or, if applicable, the sum of the basic
16 allotment and the allotment under Section 48.101 to which the
17 district is entitled for each ~~[full-time equivalent]~~ student in
18 average daily attendance, multiplied by the amount designated for
19 the highest tier of intensity of service for which the student
20 qualifies ~~[student's instructional arrangement]~~ under this
21 section, for each day the program is provided divided by the number
22 of days in the minimum school year. ~~[The total amount of state~~
23 ~~funding for extended year services under this section may not~~
24 ~~exceed \$10 million per year.]~~ A school district may use funds
25 received under this section only in providing an extended year
26 program.

27 (g) ~~[(k)]~~ From the total amount of funds appropriated for

1 special education under this section, the commissioner shall
2 withhold an amount specified in the General Appropriations Act, and
3 distribute that amount to school districts for programs under
4 Section 29.014. The program established under that section is
5 required only in school districts in which the program is financed
6 by funds distributed under this subsection and any other funds
7 available for the program. After deducting the amount withheld
8 under this subsection from the total amount appropriated for
9 special education, the commissioner shall reduce each district's
10 allotment proportionately and shall allocate funds to each district
11 accordingly.

12 (h) Not later than December 1 of each even-numbered year,
13 the commissioner shall submit to the Legislative Budget Board, for
14 purposes of the allotment under this section, proposed weights for
15 the tiers of intensity of service for the next state fiscal
16 biennium.

17 SECTION 4.55. Subchapter C, Chapter 48, Education Code, is
18 amended by adding Sections 48.1021 and 48.1022 to read as follows:

19 Sec. 48.1021. SPECIAL EDUCATION SERVICE GROUP ALLOTMENT.

20 (a) For each student in a special education program under
21 Subchapter A, Chapter 29, a school district is entitled to an
22 allotment in an amount set by the legislature in the General
23 Appropriations Act for the service group for which the student
24 receives services.

25 (a-1) Notwithstanding Subsection (a), for the 2026-2027
26 school year, the amount of an allotment under this section shall be
27 determined in accordance with Section 48.1022. This subsection

1 expires September 1, 2027.

2 (b) The commissioner by rule shall establish at least four
3 service groups for use in determining funding under this section.

4 In establishing the groups, the commissioner must consider:

5 (1) the type, frequency, and nature of services
6 provided to a student;

7 (2) the required certifications, licensures, or other
8 qualifications for personnel serving the student;

9 (3) any identified or curriculum-required
10 provider-to-student ratios for the student to receive the
11 appropriate services; and

12 (4) any equipment or technology required for the
13 services.

14 (c) At least 55 percent of the funds allocated under this
15 section must be used for a special education program under
16 Subchapter A, Chapter 29.

17 (d) Not later than December 1 of each even-numbered year,
18 the commissioner shall submit to the Legislative Budget Board, for
19 purposes of the allotment under this section, proposed amounts of
20 funding for the service groups for the next state fiscal biennium.

21 Sec. 48.1022. SPECIAL EDUCATION TRANSITION FUNDING.

22 (a) For the 2026-2027 school year, the commissioner may adjust
23 weights or amounts provided under Section 48.102 or 48.1021 as
24 necessary to ensure compliance with requirements regarding
25 maintenance of state financial support under 20 U.S.C. Section
26 1412(a)(18) and maintenance of local financial support under
27 applicable federal law.

1 (b) For the 2026-2027 school year, the commissioner shall
2 determine the formulas through which school districts receive
3 funding under Sections 48.102 and 48.1021. In determining the
4 formulas, the commissioner shall ensure the estimated statewide
5 amount provided by the sum of the allotments under Sections 48.102
6 and 48.1021 for the 2026-2027 school year is approximately \$250
7 million greater than the amount that would have been provided under
8 the allotment under Section 48.102, as that section existed on
9 September 1, 2025, for that school year, calculating both amounts
10 using the basic allotment in effect for the 2026-2027 school year.

11 (c) Each school district and open-enrollment charter school
12 shall report to the agency information necessary to implement this
13 section.

14 (d) The agency shall provide technical assistance to school
15 districts and open-enrollment charter schools to ensure a
16 successful transition in funding formulas for special education.

17 (e) This section expires September 1, 2028.

18 SECTION 4.56. Sections 48.103(b), (c), and (d), Education
19 Code, are amended to read as follows:

20 (b) A school district is entitled to an allotment under
21 Subsection (a) only for a student who:

22 (1) is receiving:

23 (A) instruction, services, or accommodations for
24 dyslexia or a related disorder in accordance with[+]

25 [~~(A)~~] an individualized education program
26 developed for the student under Section 29.005; or

27 (B) accommodations for dyslexia or a related

1 disorder in accordance with a plan developed for the student under
2 Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794); or

3 (2) [~~is receiving instruction that:~~

4 [~~(A) meets applicable dyslexia program criteria~~
5 ~~established by the State Board of Education; and~~

6 [~~(B) is provided by a person with specific~~
7 ~~training in providing that instruction; or~~

8 [~~(3)~~] is permitted, on the basis of having dyslexia or
9 a related disorder, to use modifications in the classroom or
10 accommodations in the administration of assessment instruments
11 under Section 39.023 without a program or plan described by
12 Subdivision (1).

13 (c) A school district may receive funding for a student
14 under each provision of this section, [~~and~~] Section 48.102, and
15 Section 48.1021 for which [~~if~~] the student qualifies [~~satisfies the~~
16 ~~requirements of both sections~~].

17 (d) A school district may use [~~an amount not to exceed 20~~
18 ~~percent of~~] the allotment provided for a qualifying student under
19 this section to contract with a private provider to provide
20 supplemental academic services to the student that are recommended
21 under the student's program or plan described by Subsection (b). A
22 student may not be excused from school to receive supplemental
23 academic services provided under this subsection.

24 SECTION 4.57. Section 48.110(d), Education Code, is amended
25 to read as follows:

26 (d) For each annual graduate in a cohort described by
27 Subsection (b) who demonstrates college, career, or military

1 readiness as described by Subsection (f) in excess of the minimum
2 number of students determined for the applicable district cohort
3 under Subsection (c), a school district is entitled to an annual
4 outcomes bonus of:

5 (1) if the annual graduate is educationally
6 disadvantaged, \$5,000;

7 (2) if the annual graduate is not educationally
8 disadvantaged, \$3,000; and

9 (3) if the annual graduate is enrolled in a special
10 education program under Subchapter A, Chapter 29, \$4,000 [~~\$2,000~~],
11 regardless of whether the annual graduate is educationally
12 disadvantaged.

13 SECTION 4.58. Section 48.151(g), Education Code, is amended
14 to read as follows:

15 (g) A school district or county that provides special
16 transportation services for eligible special education students is
17 entitled to a state allocation at a [~~paid on a previous year's~~
18 ~~cost-per-mile basis. The~~] rate per mile equal to the sum of the
19 rate per mile set under Subsection (c) and \$0.13, or a greater
20 amount provided [~~allowable shall be set~~] by appropriation [~~based on~~
21 ~~data gathered from the first year of each preceding biennium~~].
22 Districts may use a portion of their support allocation to pay
23 transportation costs, if necessary. The commissioner may grant an
24 amount set by appropriation for private transportation to reimburse
25 parents or their agents for transporting eligible special education
26 students. The mileage allowed shall be computed along the shortest
27 public road from the student's home to school and back, morning and

1 afternoon. The need for this type of transportation shall be
2 determined on an individual basis and shall be approved only in
3 extreme hardship cases.

4 SECTION 4.59. Subchapter D, Chapter 48, Education Code, is
5 amended by adding Section 48.159 to read as follows:

6 Sec. 48.159. SPECIAL EDUCATION FULL INDIVIDUAL AND INITIAL
7 EVALUATION. For each child for whom a school district conducts a
8 full individual and initial evaluation under Section 29.004 or 20
9 U.S.C. Section 1414(a)(1), the district is entitled to an allotment
10 of \$1,000 or a greater amount provided by appropriation.

11 SECTION 4.60. Section 48.265(a), Education Code, is amended
12 to read as follows:

13 (a) If [~~Notwithstanding any other provision of law, if~~] the
14 commissioner determines that the amount appropriated for the
15 purposes of the Foundation School Program exceeds the amount to
16 which school districts are entitled under this chapter, the
17 commissioner may provide [~~by rule shall establish a grant program~~
18 ~~through which excess funds are awarded as~~] grants using the excess
19 money for the purchase of video equipment, or for the reimbursement
20 of costs for previously purchased video equipment, used for
21 monitoring special education classrooms or other special education
22 settings required under Section 29.022.

23 SECTION 4.61. Section 48.279(e), Education Code, is amended
24 to read as follows:

25 (e) After the commissioner has replaced any withheld
26 federal funds as provided by Subsection (d), the commissioner shall
27 distribute the remaining amount, if any, of funds described by

1 Subsection (a) to proportionately increase funding for the special
2 education allotment under Section [48.102](#) and the special education
3 service group allotment under Section [48.1021](#).

4 SECTION 4.62. Subchapter [G](#), Chapter [48](#), Education Code, is
5 amended by adding Sections 48.304 and 48.315 to read as follows:

6 Sec. 48.304. DAY PLACEMENT PROGRAM OR COOPERATIVE FUNDING.

7 (a) For each qualifying day placement program or cooperative that a
8 regional education service center, school district, or
9 open-enrollment charter school establishes, the program or
10 cooperative is entitled to an allotment of:

11 (1) \$250,000 for the first year of the program's or
12 cooperative's operation; and

13 (2) the sum of:

14 (A) \$100,000 for each year of the program's or
15 cooperative's operation after the first year; and

16 (B) \$150,000 if at least three students are
17 enrolled in the program or cooperative for a year described by
18 Paragraph (A).

19 (b) A day placement program or cooperative qualifies for
20 purposes of Subsection (a) if:

21 (1) the program or cooperative complies with
22 commissioner rules adopted for purposes of this section under
23 Section [48.004](#);

24 (2) the program or cooperative offers services to
25 students who are enrolled at any school district or open-enrollment
26 charter school in the county in which the program or cooperative is
27 offered, unless the commissioner by rule waives or modifies the

1 requirement under this subdivision for the program or cooperative
2 to serve all students in a county; and

3 (3) the agency has designated the program or
4 cooperative for service in the county in which the program or
5 cooperative is offered and determined that, at the time of
6 designation, the program or cooperative increases the availability
7 of day placement services in the county.

8 (c) The agency may not designate more than one day placement
9 program or cooperative for service per county each year.

10 (d) The agency may designate a regional education service
11 center to implement and administer this section.

12 (e) Notwithstanding any other provision of this section,
13 the agency may not provide an allotment under this section to more
14 than 20 day placement programs or cooperatives for a year.

15 Sec. 48.315. FUNDING FOR REGIONAL DAY SCHOOL PROGRAMS FOR
16 THE DEAF. (a) The program administrator or fiscal agent of a
17 regional day school program for the deaf is entitled to receive for
18 each school year an allotment of \$6,925, or a greater amount
19 provided by appropriation, for each student receiving services from
20 the program.

21 (b) Notwithstanding Subsection (a), the agency shall adjust
22 the amount of an allotment under that subsection for a school year
23 to ensure the total amount of allotments provided under that
24 subsection is at least \$35 million for that school year.

25 SECTION 4.63. The following provisions of the Education
26 Code are repealed:

27 (1) Section 7.055(b)(24);

- 1 (2) Sections 7.102(c)(18), (19), (20), (21), and (22);
- 2 (3) Section 29.002;
- 3 (4) Section 29.0041(c);
- 4 (5) Section 29.005(f);
- 5 (6) Section 29.0161;
- 6 (7) Sections 29.308, 29.309, 29.311, 30.001, and
- 7 30.0015;
- 8 (8) Sections 30.002(c-1), (c-2), (f), (f-1), and (g);
- 9 (9) Section 30.084;
- 10 (10) Section 30.087(b); and
- 11 (11) Section 38.003(d).

12 SECTION 4.64. The commissioner of education shall award a
13 grant under Subchapter A-1, Chapter 29, Education Code, as amended
14 by this article, for the 2025-2026 school year to each eligible
15 applicant who applied but was not accepted for the 2024-2025 school
16 year.

17 SECTION 4.65. To the extent of any conflict between the
18 changes made to the Education Code by this article and the changes
19 made to the Education Code by another Act of the 89th Legislature,
20 Regular Session, 2025, the changes made by this article prevail.

21 SECTION 4.66. Sections 8.051(d), 29.008, 29.014(c) and (d),
22 and 29.018(b), Education Code, as amended by this article, apply
23 beginning with the 2026-2027 school year.

24 SECTION 4.67. (a) Except as provided by Subsection (b) or
25 (c) of this section, this article takes effect immediately if this
26 Act receives a vote of two-thirds of all the members elected to each
27 house, as provided by Section 39, Article III, Texas Constitution.

1 If this Act does not receive the vote necessary for immediate
2 effect, this article takes effect September 1, 2025.

3 (b) Except as provided by Subsection (c) of this section,
4 the amendments made by this article to Chapter 48, Education Code,
5 take effect September 1, 2025.

6 (c) Sections 48.009(b), 48.102, 48.103(b), (c), and (d),
7 and 48.279(e), Education Code, as amended by this article, and
8 Sections 48.1021 and 48.1022, Education Code, as added by this
9 article, take effect September 1, 2026.

10 ARTICLE 5. MEASURES TO SUPPORT EARLY CHILDHOOD EDUCATION

11 SECTION 5.01. Section 12.104(b), Education Code, is amended
12 to read as follows:

13 (b) An open-enrollment charter school is subject to:

14 (1) a provision of this title establishing a criminal
15 offense;

16 (2) the provisions in Chapter 554, Government Code;
17 and

18 (3) a prohibition, restriction, or requirement, as
19 applicable, imposed by this title or a rule adopted under this
20 title, relating to:

21 (A) the Public Education Information Management
22 System (PEIMS) to the extent necessary to monitor compliance with
23 this subchapter as determined by the agency [~~commissioner~~];

24 (B) criminal history records under Subchapter C,
25 Chapter 22;

26 (C) reading and mathematics instruments and
27 reading interventions [~~accelerated reading instruction programs~~]

- 1 under Sections [~~Section~~] [28.006](#), [28.0063](#), and [28.0064](#);
- 2 (D) accelerated instruction under Section
3 [28.0211](#);
- 4 (E) high school graduation requirements under
5 Section [28.025](#);
- 6 (F) special education programs under Subchapter
7 [A](#), Chapter [29](#);
- 8 (G) bilingual education under Subchapter [B](#),
9 Chapter [29](#);
- 10 (H) prekindergarten programs under Subchapter E
11 or E-1, Chapter [29](#), except class size limits for prekindergarten
12 classes imposed under Section [25.112](#), which do not apply;
- 13 (I) extracurricular activities under Section
14 [33.081](#);
- 15 (J) discipline management practices or behavior
16 management techniques under Section [37.0021](#);
- 17 (K) health and safety under Chapter [38](#);
- 18 (L) the provisions of Subchapter [A](#), Chapter [39](#);
- 19 (M) public school accountability and special
20 investigations under Subchapters [A](#), [B](#), [C](#), [D](#), [F](#), [G](#), and [J](#), Chapter
21 [39](#), and Chapter [39A](#);
- 22 (N) the requirement under Section [21.006](#) to
23 report an educator's misconduct;
- 24 (O) intensive programs of instruction under
25 Section [28.0213](#);
- 26 (P) the right of a school employee to report a
27 crime, as provided by Section [37.148](#);

1 (Q) bullying prevention policies and procedures
2 under Section 37.0832;

3 (R) the right of a school under Section 37.0052
4 to place a student who has engaged in certain bullying behavior in a
5 disciplinary alternative education program or to expel the student;

6 (S) the right under Section 37.0151 to report to
7 local law enforcement certain conduct constituting assault or
8 harassment;

9 (T) a parent's right to information regarding the
10 provision of assistance for learning difficulties to the parent's
11 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

12 (U) establishment of residency under Section
13 25.001;

14 (V) school safety requirements under Sections
15 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085,
16 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and
17 37.2071 and Subchapter J, Chapter 37;

18 (W) the early childhood literacy and mathematics
19 proficiency plans under Section 11.185;

20 (X) the college, career, and military readiness
21 plans under Section 11.186; and

22 (Y) parental options to retain a student under
23 Section 28.02124.

24 SECTION 5.02. The heading to Section 21.4552, Education
25 Code, is amended to read as follows:

26 Sec. 21.4552. TEACHER LITERACY ACHIEVEMENT AND READING
27 INTERVENTION ACADEMIES.

1 SECTION 5.03. Section 21.4552, Education Code, is amended
2 by amending Subsections (b) and (d) and adding Subsections (d-1),
3 (g), (h), and (i) to read as follows:

4 (b) A literacy achievement academy developed under this
5 section:

6 (1) for teachers who provide reading instruction to
7 students at the kindergarten or first, second, or third grade
8 level:

9 (A) must include training in:

10 (i) effective and systematic instructional
11 practices in reading, including phonemic awareness, phonics,
12 fluency, vocabulary, and comprehension; and

13 (ii) the use of empirically validated
14 instructional methods that are appropriate for struggling readers;
15 and

16 (B) may include training in effective
17 instructional practices in writing;

18 (2) for teachers who provide reading instruction to
19 students at the fourth or fifth grade level:

20 (A) must include effective instructional
21 practices that promote student development of reading
22 comprehension and inferential and critical thinking;

23 (B) must provide training in the use of
24 empirically validated instructional methods that are appropriate
25 for struggling readers; and

26 (C) may include material on writing instruction;

27 (3) for teachers who provide reading instruction to

1 students at the sixth, seventh, or eighth grade level, must include
2 training in:

3 (A) strategies to be implemented in English
4 language arts and other subject areas for multisyllable word
5 reading, vocabulary development, and comprehension of expository
6 and narrative text;

7 (B) an adaptation framework that enables
8 teachers to respond to differing student strengths and needs,
9 including adaptations for students of limited English proficiency
10 or students receiving special education services under Subchapter
11 A, Chapter 29;

12 (C) collaborative strategies to increase active
13 student involvement and motivation to read; and

14 (D) other areas identified by the commissioner as
15 essential components of reading instruction; and

16 (4) ~~[for teachers who provide reading instruction to
17 students at the seventh or eighth grade level, must include
18 training in:~~

19 ~~[(A) administration of the reading instrument
20 required by Section 28.006(c-1); and~~

21 ~~[(B) interpretation of the results of the reading
22 instrument required by Section 28.006(c-1) and strategies, based on
23 scientific research regarding effective reading instruction, for
24 long-term intensive intervention to target identified student
25 needs in word recognition, vocabulary, fluency, and comprehension,
26 and~~

27 ~~[(5)]~~ for teachers who provide instruction in

1 mathematics, science, or social studies to students at the sixth,
2 seventh, or eighth grade level, must include training in:

3 (A) strategies for incorporating reading
4 instruction into the curriculum for the subject area taught by the
5 teacher; and

6 (B) other areas identified by the commissioner.

7 (d) Except as provided by Subsection (d-1), from funds
8 provided under Section 48.108 or other available [From] funds
9 [appropriated for that purpose], a classroom teacher who provides
10 instruction to students in kindergarten through third grade and
11 completes [attends] a literacy achievement academy is entitled to
12 receive a stipend from the school district in the amount determined
13 by the commissioner. From funds appropriated for that purpose, a
14 district may provide a stipend to a classroom teacher who provides
15 instruction to students in a grade level above third grade. A
16 stipend received under this subsection is not considered in
17 determining whether a school district is paying the classroom
18 teacher the minimum monthly salary under Section 21.402.

19 (d-1) A school district is not required to provide a stipend
20 under Subsection (d) to a classroom teacher if the teacher:

21 (1) attends the literacy achievement academy as part
22 of an educator preparation program in which the teacher is
23 enrolled;

24 (2) attends the literacy achievement academy on a day
25 or during hours of service included in the term of the teacher's
26 contract; or

27 (3) is not directed or approved by the school district

1 at which the teacher is employed to attend the literacy achievement
2 academy.

3 (g) The agency shall develop a method for evaluating a
4 literacy achievement academy to determine the effectiveness of the
5 academy, including whether the academy improves teaching practices
6 and student literacy proficiency. A school district or
7 open-enrollment charter school shall provide any information
8 requested by the agency for purposes of evaluating literacy
9 achievement academies under this subsection.

10 (h) In addition to the literacy achievement academies
11 developed under Subsection (a), the commissioner shall develop and
12 make available reading intervention academies for teachers or other
13 professionals who provide reading interventions to students who
14 require targeted instruction in foundational reading skills.

15 (i) The commissioner may establish an advisory board to
16 assist the agency in fulfilling the agency's duties under this
17 section. A recommendation of the advisory board shall be made
18 available to the public. Chapter 2110, Government Code, does not
19 apply to an advisory board established under this subsection.

20 SECTION 5.04. The heading to Section 21.4553, Education
21 Code, is amended to read as follows:

22 Sec. 21.4553. TEACHER MATHEMATICS ACHIEVEMENT AND
23 INTERVENTIONIST ACADEMIES.

24 SECTION 5.05. Section 21.4553, Education Code, is amended
25 by amending Subsection (d) and adding Subsections (d-1), (g), (h),
26 and (i) to read as follows:

27 (d) Except as provided by Subsection (d-1), from funds

1 provided under Section 48.108 or other available ~~[From]~~ funds
2 ~~[appropriated for that purpose]~~, a classroom teacher who completes
3 ~~[attends]~~ a mathematics achievement academy is entitled to receive
4 a stipend from the school district in the amount determined by the
5 commissioner. A stipend received under this subsection is not
6 considered in determining whether a district is paying the
7 classroom teacher the minimum monthly salary under Section 21.402.

8 (d-1) A school district is not required to provide a stipend
9 under Subsection (d) to a classroom teacher if the teacher:

10 (1) attends the mathematics achievement academy as
11 part of an educator preparation program in which the teacher is
12 enrolled;

13 (2) attends the mathematics achievement academy on a
14 day or during hours of service included in the term of the teacher's
15 contract; or

16 (3) is not directed or approved by the school district
17 at which the teacher is employed to attend the mathematics
18 achievement academy.

19 (g) The agency shall develop a method for evaluating a
20 mathematics achievement academy to determine the effectiveness of
21 the academy, including whether the academy improves teaching
22 practices and student math proficiency. A school district or
23 open-enrollment charter school shall provide any information
24 requested by the agency for purposes of evaluating mathematics
25 achievement academies under this subsection.

26 (h) In addition to the mathematics achievement academies
27 developed under Subsection (a), the commissioner shall develop and

1 make available mathematics interventionist academies for a teacher
2 or other professional who provides mathematics interventions to
3 students who require targeted instruction in foundational
4 mathematics skills.

5 (i) The commissioner may establish an advisory board to
6 assist the agency in fulfilling the agency's duties under this
7 section. A recommendation of the advisory board shall be made
8 available to the public. Chapter 2110, Government Code, does not
9 apply to an advisory board established under this subsection.

10 SECTION 5.06. Subchapter C, Chapter 25, Education Code, is
11 amended by adding Section 25.0816 to read as follows:

12 Sec. 25.0816. ADDITIONAL DAYS SCHOOL YEAR PLANNING GRANT
13 PROGRAM. (a) From money appropriated or otherwise available for
14 the purpose, the agency shall establish and administer a grant
15 program to provide funding and technical assistance to school
16 districts and open-enrollment charter schools to plan the school
17 year and adjust operations as necessary to qualify for the
18 incentive funding under Section 48.0051.

19 (b) In awarding grants under the program, the agency shall
20 prioritize school districts and open-enrollment charter schools
21 that seek to maximize incentive funding under Section 48.0051.

22 (c) The agency may solicit and accept gifts, grants, and
23 donations for purposes of this section.

24 SECTION 5.07. Section 25.085(d), Education Code, is amended
25 to read as follows:

26 (d) Unless specifically exempted by Section 25.086, a
27 student enrolled in a school district must attend:

1 (1) an extended-year program for which the student is
2 eligible that is provided by the district for students identified
3 as likely not to be promoted to the next grade level or tutorial
4 classes required by the district under Section 29.084;

5 (2) a reading intervention program [~~an accelerated~~
6 ~~reading instruction program~~] to which the student is assigned under
7 Section 28.0064 [~~28.006(g)~~];

8 (3) an accelerated instruction program to which the
9 student is assigned under Section 28.0211;

10 (4) a basic skills program to which the student is
11 assigned under Section 29.086; or

12 (5) a summer program provided under Section 37.008(1)
13 or Section 37.021.

14 SECTION 5.08. The heading to Section 28.006, Education
15 Code, is amended to read as follows:

16 Sec. 28.006. KINDERGARTEN READING READINESS [~~DIAGNOSIS~~].

17 SECTION 5.09. Section 28.006, Education Code, is amended by
18 amending Subsections (a), (b), (b-1), (c-2), (c-3), (d), (f), and
19 (h) and adding Subsection (n) to read as follows:

20 (a) The commissioner shall develop recommendations for
21 school districts for:

22 (1) administering reading instruments to measure
23 students' foundational literacy skills in [~~diagnose student~~]
24 reading development and comprehension;

25 (2) training educators in administering the reading
26 instruments; and

27 (3) applying the results of the reading instruments to

1 the instructional program.

2 (b) The commissioner shall adopt a ~~[list of]~~ reading
3 instrument ~~[instruments]~~ that a school district shall ~~[may]~~ use at
4 the beginning of the school year to measure a kindergarten
5 student's foundational literacy skills in ~~[diagnose student]~~
6 reading development and comprehension. A reading instrument
7 adopted under this subsection may include other developmental
8 skills as part of ~~[For use in diagnosing the reading development and~~
9 ~~comprehension of kindergarten students, the commissioner shall~~
10 ~~adopt]~~ a multidimensional assessment tool ~~[that includes a reading~~
11 ~~instrument and tests at least three developmental skills, including~~
12 ~~literacy. A multidimensional assessment tool administered as~~
13 ~~provided by this subsection is considered to be a reading~~
14 ~~instrument for purposes of this section. A district-level~~
15 ~~committee established under Subchapter F, Chapter 11, may adopt a~~
16 ~~list of reading instruments for use in the district in a grade level~~
17 ~~other than kindergarten in addition to the reading instruments on~~
18 ~~the commissioner's list]. A~~ ~~[Each]~~ reading instrument adopted by
19 the commissioner ~~[or a district-level committee]~~ must be based on
20 scientific research concerning foundational literacy skills in
21 reading ~~[skills]~~ development and ~~[reading]~~ comprehension and~~[. A~~
22 ~~list of reading instruments adopted under this subsection must]~~
23 provide for measuring ~~[diagnosing]~~ the foundational literacy
24 skills in reading development and comprehension of students,
25 including students participating in a program under Subchapter B,
26 Chapter 29.

27 (b-1) The commissioner may approve not more than two ~~[an]~~

1 alternative reading instruments [~~instrument~~] for use in measuring
2 [~~diagnosing~~] the foundational literacy skills in reading
3 development and comprehension of kindergarten students that
4 complies with the requirements under Subsection (b).

5 (c-2) Not later than the 60th day after the beginning of the
6 school year, each [~~Each~~] school district shall administer at the
7 kindergarten level a reading instrument adopted by the commissioner
8 under Subsection (b) or approved by the commissioner under
9 Subsection (b-1). The district shall administer the reading
10 instrument in accordance with the commissioner's recommendations
11 under Subsection (a)(1) and policies developed by commissioner
12 rule.

13 (c-3) The commissioner by rule shall determine the
14 performance on a [~~the~~] reading instrument adopted or approved under
15 this section [~~Subsection (b)~~] that indicates kindergarten
16 readiness. Each reading instrument adopted or approved under this
17 section must provide for the ability to compare the performance
18 that indicates kindergarten readiness on that instrument with the
19 performance that indicates kindergarten readiness on other
20 instruments adopted or approved under this section.

21 (d) The superintendent of each school district shall:

22 (1) report to the commissioner and the board of
23 trustees of the district at a public meeting of the board the
24 results of a [~~the~~] reading instrument administered to students
25 under this section [~~instruments~~];

26 (2) not later than the earlier of the 20th school day
27 or the 30th [~~60th~~] calendar day after the date on which the results

1 of a reading instrument are available, [was administered] report,
2 in writing or electronically, to a student's parent or guardian the
3 student's results on the instrument; and

4 (3) using the school readiness certification system
5 provided to the school district in accordance with Section
6 29.161(e), report electronically each student's raw score on the
7 reading instrument to the agency for use in the school readiness
8 certification system.

9 (f) The agency shall ensure [~~at least one~~] reading
10 instruments adopted or approved [~~instrument for each grade level~~
11 ~~for which a reading instrument is required to be administered~~]
12 under this section are [~~is~~] available to school districts at no
13 cost.

14 (h) The school district shall make a good faith effort to
15 ensure that the report [~~notice~~] required under Subsection (d)(2)
16 [~~this section~~] is provided either in person or electronically [~~by~~
17 ~~regular mail~~] and that the report [~~notice~~] is clear and easy to
18 understand and is written in English and in the parent or guardian's
19 native language.

20 (n) Nothing in this section may be construed to circumvent
21 or supplant federal or state law regarding a student who
22 participates in a special education program under Subchapter A,
23 Chapter 29, or a student who is suspected to have a disability and
24 who may be eligible to participate in a special education program
25 under that subchapter.

26 SECTION 5.10. Subchapter A, Chapter 28, Education Code, is
27 amended by adding Sections 28.0063, 28.0064, 28.0065, and 28.0071

1 to read as follows:

2 Sec. 28.0063. EARLY LITERACY AND NUMERACY INSTRUMENTS. (a)
3 The commissioner shall adopt a list of reading and mathematics
4 instruments approved or developed by the commissioner for use by
5 school districts in kindergarten through grade three to measure
6 students' foundational literacy skills in reading development and
7 comprehension and foundational numeracy skills in mathematics.

8 (b) A reading or mathematics instrument adopted under
9 Subsection (a) must:

10 (1) be based on scientific research concerning, as
11 applicable:

12 (A) foundational literacy skills in reading
13 development and comprehension; or

14 (B) foundational numeracy skills in mathematics;

15 (2) be capable of being administered at the beginning,
16 middle, and end of the school year;

17 (3) be designed to assess the performance of students
18 in, as applicable:

19 (A) the foundational literacy skills components
20 of the essential knowledge and skills adopted under Section 28.002
21 for language arts; or

22 (B) the foundational numeracy skills components
23 of the essential knowledge and skills adopted under Section 28.002
24 for mathematics;

25 (4) be capable of monitoring student progress in a
26 manner that allows school district staff to identify specific
27 foundational literacy or numeracy skills in need of targeted

1 instruction;

2 (5) assess whether a student's skills identified as in
3 need of targeted instruction indicate that the student is at risk,
4 as determined by the agency, of not achieving satisfactory
5 performance on the third grade reading or mathematics assessment
6 administered under Section 39.023;

7 (6) for a reading instrument for students in
8 kindergarten and first grade, include the applicable elements and
9 criteria to serve as the required screenings for dyslexia and
10 related disorders under Section 38.003; and

11 (7) for a reading instrument, allow a school district
12 to generate a report regarding a student's reading progress,
13 including progress from previous administrations of the same
14 instrument, that is clear and easy to understand that may be
15 distributed to the student's parent in English, Spanish, or, to the
16 extent practicable, any other language spoken by the parent.

17 (c) The commissioner shall:

18 (1) update the list of reading and mathematics
19 instruments adopted under Subsection (a) not less than once every
20 four years;

21 (2) ensure the list adopted under Subsection (a)
22 includes multiple reading and mathematics instruments;

23 (3) develop a process by which a school district may
24 submit an instrument to the commissioner for approval; and

25 (4) make publicly available the criteria for the
26 evaluation and approval of an instrument submitted to the
27 commissioner.

1 (d) The instruments adopted or approved under this section
2 shall be administered as follows:

3 (1) for kindergarten, at the middle and end of the
4 school year;

5 (2) for first and second grade, at the beginning,
6 middle, and end of the school year; and

7 (3) for third grade, at the beginning and middle of the
8 school year.

9 (e) The commissioner shall align and determine
10 comparability of the instruments administered under this section
11 with the following instruments:

12 (1) an instrument adopted or approved under Section
13 28.006 that is administered to a kindergarten student at the
14 beginning of the school year; and

15 (2) a third grade assessment instrument adopted or
16 developed under Section 39.023 that is administered at the end of
17 the school year for a third grade student.

18 (f) If the commissioner determines that an interim
19 assessment instrument adopted under Section 39.023(o) provides the
20 same intended outcomes as an instrument adopted or approved under
21 this section, the commissioner may substitute that interim
22 assessment instrument for an instrument adopted or approved under
23 this section.

24 (g) A school district shall administer to students in
25 kindergarten through third grade a reading instrument and a
26 mathematics instrument adopted under Subsection (a) in accordance
27 with requirements and recommendations established by the

1 commissioner under this section, including requirements or
2 recommendations related to:

- 3 (1) administering the instruments;
- 4 (2) training staff on the instruments; and
- 5 (3) applying the results of the instruments to the
6 district's instructional program.

7 (h) The superintendent of each school district shall:

- 8 (1) report to the commissioner and the board of
9 trustees of the district at a public meeting of the board the
10 results of a reading or mathematics instrument administered to
11 students under this section; and

- 12 (2) not later than the earlier of the 20th school day
13 or the 30th calendar day after the date on which the results of a
14 reading or mathematics instrument are available, report, in writing
15 or electronically, to a student's parent or guardian:

16 (A) the student's results on the instrument;

17 (B) for a reading instrument, the report
18 described by Subsection (b)(7); and

19 (C) if the student is determined to be at risk for
20 dyslexia or a related disorder based on the results of the reading
21 instrument, information regarding that determination.

22 (i) The agency shall establish a list of reading and
23 mathematics instruments adopted under Subsection (a) for which the
24 agency has negotiated a price. A school district is not required to
25 use a method provided by Section 44.031 to purchase an instrument on
26 the list established under this subsection.

27 (j) A student's parent or guardian may submit a written

1 request to the administrator of the campus at which the student is
2 enrolled to opt the student out of the administration of a reading
3 or mathematics instrument required under this section. A school
4 district may not encourage or direct a parent or guardian to submit
5 a written request under this subsection.

6 (k) The commissioner shall adopt rules as necessary to
7 implement this section.

8 (l) Section 2001.0045, Government Code, does not apply to a
9 rule adopted under this section.

10 (m) A school district may comply with the requirements of
11 Subsection (g) by administering a reading or mathematics instrument
12 selected by the board of trustees of the school district that meets
13 the requirements of Subsection (b) until the commissioner adopts
14 the list of reading and mathematics instruments under Subsection
15 (a). This subsection expires September 1, 2029.

16 Sec. 28.0064. EARLY LITERACY INTERVENTION FOR CERTAIN
17 STUDENTS. (a) If a student's results on two consecutive reading
18 instruments administered under Section 28.0063 indicate that the
19 student is at risk, as determined by the agency, of not achieving
20 satisfactory performance in foundational literacy, a school
21 district shall, as soon as practicable following the receipt of the
22 student's results, provide reading interventions to the student.

23 (b) Reading interventions provided under Subsection (a)
24 must:

25 (1) include targeted instruction in the foundational
26 literacy skills identified as areas in need of targeted instruction
27 by the reading instrument administered under Section 28.0063;

1 (2) ensure that the student receives the interventions
2 during a period and at a frequency sufficient to address the areas
3 described by Subdivision (1);

4 (3) include effective instructional materials
5 designed for reading intervention;

6 (4) be provided by a person:

7 (A) with training in reading interventions and in
8 the applicable instructional materials described by Subdivision
9 (3); and

10 (B) under the oversight of the school district;

11 (5) to the extent possible, be provided by one person
12 for the entirety of the student's reading intervention period; and

13 (6) meet any additional requirements adopted by the
14 commissioner.

15 (c) A school district shall continue providing reading
16 intervention to a student under this section until the earlier of
17 the date on which:

18 (1) the student is no longer determined to be at risk,
19 as determined by the agency, of not achieving satisfactory
20 performance in foundational literacy on a reading instrument
21 administered under Section 28.0063; or

22 (2) the student begins the fourth grade.

23 (d) In providing reading interventions under this section,
24 a school district may not remove a student, except under
25 circumstances for which a student enrolled in the same grade level
26 who is not receiving reading interventions would be removed, from:

27 (1) instruction in the foundation curriculum and

1 enrichment curriculum adopted under Section 28.002 for the grade
2 level in which the student is enrolled; or

3 (2) recess or other physical activity that is
4 available to other students enrolled in the same grade level.

5 (e) The agency shall approve one or more products that use
6 an automated, computerized, or other augmented method for providing
7 reading interventions. The agency may approve a product under this
8 subsection only if evidence indicates that the product is effective
9 at promoting mastery of foundational literacy skills.

10 (f) Subject to appropriation, the agency shall ensure that
11 at least one product approved under Subsection (e) is available to
12 school districts at no or reduced cost.

13 (g) A student's parent or guardian may submit a written
14 request to the administrator of the campus at which the student is
15 enrolled to opt the student out of all or part of the reading
16 intervention requirements under Subsection (b). A school district
17 may not encourage or direct a parent or guardian to submit a written
18 request under this subsection that would allow the district to not
19 provide reading interventions to the student.

20 (h) A school district must provide to the parent or guardian
21 of a student receiving reading interventions under this section the
22 notice required under Section 26.0081(d).

23 (i) Nothing in this section may be construed to prevent or
24 discourage reading interventions for a student whose results on a
25 reading instrument administered under Section 28.0063 indicate
26 that the student is at risk, as determined by the agency, of not
27 achieving satisfactory performance in foundational literacy.

1 (j) Nothing in this section may be construed to circumvent
2 or supplant federal or state law regarding a student who
3 participates in a special education program under Subchapter A,
4 Chapter 29, or a student who is suspected to have a disability and
5 who may be eligible to participate in a special education program
6 under that subchapter.

7 (k) The commissioner shall adopt rules as necessary to
8 implement this section, including rules that define appropriate
9 standards for implementing reading interventions that meet the
10 requirements of Subsection (b).

11 (l) Section 2001.0045, Government Code, does not apply to a
12 rule adopted under this section.

13 (m) A school district is not required to comply with the
14 requirements of this section until the commissioner adopts a list
15 of reading and mathematics instruments under Section 28.0063 and
16 designates the first school year that districts must comply with
17 this section. This subsection expires September 1, 2029.

18 Sec. 28.0065. ADAPTIVE VOCABULARY PILOT PROGRAM. (a) The
19 agency shall develop and implement an adaptive vocabulary
20 assessment pilot program to assess vocabulary development in
21 students in kindergarten through third grade.

22 (b) The agency may develop an assessment under the pilot
23 program to assess students in grades other than grades described by
24 Subsection (a).

25 (c) Nothing in this section may be construed to circumvent
26 or supplant federal or state law regarding a student who
27 participates in a special education program under Subchapter A,

1 Chapter 29, or a student who is suspected to have a disability and
2 who may be eligible to participate in a special education program
3 under that subchapter.

4 (d) The commissioner may adopt rules as necessary to
5 implement this section.

6 Sec. 28.0071. MATHEMATICS TRAINING FOR KINDERGARTEN
7 THROUGH THIRD GRADE. (a) Each school district and open-enrollment
8 charter school shall ensure that:

9 (1) not later than the 2030-2031 school year, each
10 classroom teacher that provides instruction in mathematics to
11 students in kindergarten through third grade and each principal,
12 assistant principal, mathematics instructional coach, and
13 mathematics interventionist at a campus with one of those grade
14 levels has attended a teacher mathematics achievement academy
15 developed under Section 21.4553; and

16 (2) each classroom teacher and principal initially
17 employed in a grade level or at a campus described by Subdivision
18 (1) for the 2030-2031 school year or a subsequent school year has
19 attended a teacher mathematics achievement academy developed under
20 Section 21.4553 by the end of the teacher's or principal's first
21 year of placement in that grade level or campus.

22 (b) The agency shall provide assistance to school districts
23 and open-enrollment charter schools in complying with the
24 requirements under this section.

25 (c) The agency shall:

26 (1) monitor the implementation of this section; and

27 (2) periodically report to the legislature on the

1 implementation of this section and the effectiveness of this
2 section in improving educational outcomes.

3 (d) The commissioner may adopt rules to implement this
4 section.

5 SECTION 5.11. Subchapter B, Chapter 28, Education Code, is
6 amended by adding Section 28.02111 to read as follows:

7 Sec. 28.02111. FIRST THROUGH THIRD GRADE SUPPLEMENTARY
8 SUPPORTS. (a) The commissioner shall establish and administer a
9 program designed to help improve student proficiency in reading by
10 providing a grant in an amount provided under Section 48.317
11 through which the student's parent may purchase tutoring services
12 from agency-approved providers to:

13 (1) a student at or below the third grade level who,
14 beginning in the first grade, is required to be provided reading
15 interventions under Section 28.0064; and

16 (2) a student who is required to be provided
17 accelerated instruction under Section 28.0211(a-1) based on the
18 student's third grade performance.

19 (b) The agency shall approve as a provider of tutoring
20 services under this section a classroom teacher employed by a
21 school district or open-enrollment charter school who:

22 (1) holds a current teacher designation under Section
23 21.3521; and

24 (2) submits the teacher's name to the agency to offer
25 tutoring services designed to help improve student proficiency in
26 reading.

27 (c) The agency shall:

1 (1) maintain a system of online accounts under which
2 each student described by Subsection (a) is assigned an account for
3 the student's parent to access the grant described by Subsection
4 (a); and

5 (2) implement the program in a manner that ensures:

6 (A) ease of use for parents of students who are
7 eligible for a grant under this section;

8 (B) fidelity of spending; and

9 (C) a parent of a student awarded a grant under
10 this section is provided a period of one year from the date on which
11 the grant is awarded to obtain services for which grant money may be
12 used.

13 (d) A student may not receive more than one grant under
14 Subsection (a)(1) and one grant under Subsection (a)(2) unless the
15 legislature provides for additional grants by appropriation.

16 (e) The agency may reserve from the total amount of money
17 available for purposes of the program an amount, not to exceed five
18 percent of the total amount, to cover the agency's cost of
19 administering the program.

20 (f) A school district or open-enrollment charter school in
21 which a student who receives a grant under this section is enrolled
22 remains subject to the requirements to provide reading
23 interventions under Section 28.0064 and accelerated instruction
24 under Section 28.0211, as applicable.

25 (g) A school district or open-enrollment charter school
26 shall provide to the parent of a student described by Subsection (a)
27 notice of the student's eligibility for a grant under this section,

1 in a form and manner established by the agency.

2 (h) A decision by the commissioner regarding the program
3 under this section is final and may not be appealed.

4 (i) The commissioner shall adopt rules as necessary to
5 implement this section.

6 SECTION 5.12. Section 29.0031, Education Code, is amended
7 by adding Subsection (e) to read as follows:

8 (e) A school district shall notify the parent of a student
9 identified with dyslexia or a related disorder of the Talking Book
10 Program administered by the Texas State Library and Archives
11 Commission and other available audio book services.

12 SECTION 5.13. Section 29.153, Education Code, is amended by
13 amending Subsections (b) and (g) and adding Subsections (g-1), (h),
14 and (i) to read as follows:

15 (b) A child is eligible for enrollment in a prekindergarten
16 class under this section if the child is at least three years of age
17 and:

18 (1) is unable to speak and comprehend the English
19 language;

20 (2) is educationally disadvantaged;

21 (3) is homeless, regardless of the residence of the
22 child, of either parent of the child, or of the child's guardian or
23 other person having lawful control of the child;

24 (4) is the child of an active duty member of the armed
25 forces of the United States, including the state military forces or
26 a reserve component of the armed forces, who is ordered to active
27 duty by proper authority;

1 (5) is the child of a member of the armed forces of the
2 United States, including the state military forces or a reserve
3 component of the armed forces, who was injured or killed while
4 serving on active duty;

5 (6) is or ever has been in:

6 (A) the conservatorship of the Department of
7 Family and Protective Services following an adversary hearing held
8 as provided by Section 262.201, Family Code; or

9 (B) foster care in another state or territory, if
10 the child resides in this state; ~~or~~

11 (7) is the child of a person eligible for the Star of
12 Texas Award as:

13 (A) a peace officer under Section 3106.002,
14 Government Code;

15 (B) a firefighter under Section 3106.003,
16 Government Code; or

17 (C) an emergency medical first responder under
18 Section 3106.004, Government Code; or

19 (8) is the child of a person employed as a classroom
20 teacher at a public primary or secondary school in the school
21 district that offers a prekindergarten class under this section.

22 (g) Before a school district or open-enrollment charter
23 school may construct, repurpose, or lease a classroom facility, or
24 issue bonds for the construction or repurposing of a classroom
25 facility, to provide the prekindergarten classes required under
26 this section, the district or school must:

27 (1) solicit and consider proposals for partnerships to

1 provide those classes with community-based child-care providers
2 who:

3 (A) [~~(1)~~] are a Texas Rising Star Program
4 provider with a three-star certification or higher;

5 (B) [~~(2)~~] are nationally accredited;

6 (C) [~~(3)~~] are a Head Start program provider;

7 (D) [~~(4)~~] are a Texas School Ready! participant;

8 or

9 (E) [~~(5)~~] meet the requirements under Section
10 [29.1532](#); and

11 (2) have received an official determination from a
12 prekindergarten partnership intermediary designated under
13 Subsection (g-1) that the providers from which the district or
14 school has considered proposals under Subdivision (1) are unable to
15 serve the students for whom the district or school plans to provide
16 prekindergarten classes in the classroom facility to be
17 constructed, repurposed, or leased.

18 (g-1) The commissioner shall designate at least four
19 appropriate entities as prekindergarten partnership intermediaries
20 to develop partnerships between school districts and
21 open-enrollment charter schools and private prekindergarten
22 providers. The agency shall develop guidelines for use by the
23 prekindergarten partnership intermediaries regarding successful
24 prekindergarten partnerships between school districts and
25 open-enrollment charter schools and private prekindergarten
26 providers.

27 (h) Notwithstanding any other law, a facility or location at

1 which prekindergarten classes are provided by a school district or
2 open-enrollment charter school in partnership with a private entity
3 under this section:

4 (1) must comply with any municipal ordinance
5 applicable to the operation of a private prekindergarten program;
6 and

7 (2) may not be required to comply with any municipal
8 ordinance applicable to the operation of a prekindergarten program
9 by a school district or open-enrollment charter school.

10 (i) A partnership entered into between a school district or
11 open-enrollment charter school and a private provider for a
12 prekindergarten class under this section must provide for the
13 provider to receive funding for each district or school student
14 enrolled in the class in an amount that is not less than 85 percent
15 of the amount of funding that the district or school receives for
16 the student. Notwithstanding Section 7.056(e)(3)(I), the
17 commissioner may waive the requirement under this subsection on
18 request by a school district or open-enrollment charter school in
19 accordance with Section 7.056.

20 SECTION 5.14. Section 29.1531, Education Code, is amended
21 by amending Subsections (a) and (b) and adding Subsections (c) and
22 (d) to read as follows:

23 (a) Except as provided by Subsection (c), a [A] school
24 district may offer on a tuition basis or use district funds to
25 provide:

26 (1) an additional half-day of prekindergarten classes
27 to children who are eligible for classes under Section 29.153 and

1 are under four years of age; and

2 (2) half-day and full-day prekindergarten classes to
3 children not eligible for classes under Section 29.153.

4 (b) A district that offers a prekindergarten program on a
5 tuition basis[+]

6 [~~(1)~~] may not adopt a tuition rate for the program that
7 is higher than necessary to cover the added costs of providing the
8 program, including any costs associated with collecting,
9 reporting, and analyzing data under Section 29.1532(c) [~~+~~ and

10 [~~(2) must submit the proposed tuition rate to the~~
11 ~~commissioner for approval~~].

12 (c) A school district may offer a prekindergarten program on
13 a tuition basis only if the district has received an official
14 determination from a prekindergarten partnership intermediary
15 designated under Section 29.153(g-1) that no private
16 prekindergarten providers that meet the qualifications of Section
17 29.153(g)(1)(A), (B), (C), or (D) are available to serve the
18 students for whom the district plans to charge tuition.

19 (d) The commissioner may adopt rules under this section,
20 including rules establishing the manner in which a prekindergarten
21 partnership intermediary may determine whether a private
22 prekindergarten provider is available.

23 SECTION 5.15. Section 29.1543, Education Code, is amended
24 to read as follows:

25 Sec. 29.1543. EARLY EDUCATION REPORTS. (a) The agency
26 shall produce and make available to the public on the agency's
27 Internet website annual district and campus-level reports

1 containing information from the previous school year on early
2 education in school districts and open-enrollment charter schools.
3 A report under this section must contain:

4 (1) the information required by Section 29.1532(c) to
5 be reported through the Public Education Information Management
6 System (PEIMS);

7 (2) a description of the [~~diagnostic~~] reading
8 instruments administered in accordance with Section 28.006(c-2)
9 [~~28.006(c) or (c-2)~~];

10 (3) the number of students who were administered a
11 [~~diagnostic~~] reading instrument administered in accordance with
12 Section 28.006(c-2) [~~28.006(c) or (c-2)~~];

13 (4) the number of students whose scores from a
14 [~~diagnostic~~] reading instrument administered in accordance with
15 Section 28.006(c-2) [~~28.006(c) or (c-2)~~] indicate kindergarten
16 readiness in reading [~~proficiency~~];

17 (5) the number of kindergarten students who were
18 enrolled in a prekindergarten program, including a program offered
19 through a partnership under Section 29.153, in the previous school
20 years [~~year~~] in the same district or school as the district or
21 school in which the student attends kindergarten;

22 (6) the number and percentage of students who perform
23 satisfactorily on the third grade reading or mathematics assessment
24 instrument administered under Section 39.023, disaggregated by
25 whether the student was eligible for free prekindergarten under
26 Section 29.153;

27 (7) the number of students described by Subdivision

1 (6) who attended kindergarten in the district, disaggregated by:

2 (A) whether the student met the kindergarten
3 readiness standard on a ~~[the]~~ reading instrument adopted under
4 Section 28.006;

5 (B) whether the student attended prekindergarten
6 in the district, including a program offered through a partnership
7 under Section 29.153; and

8 (C) the type of prekindergarten the student
9 attended, if applicable; ~~[and]~~

10 (8) the information described by Subdivisions (6) and
11 (7) disaggregated by whether the student is educationally
12 disadvantaged; and

13 (9) the number of students identified as having a
14 vision disorder or other vision problem requiring vision care under
15 the screening program described by Section 36.004, Health and
16 Safety Code, disaggregated by:

17 (A) grade level;

18 (B) gender;

19 (C) race;

20 (D) ethnicity;

21 (E) the student's status as educationally
22 disadvantaged;

23 (F) the number of times the student was
24 previously identified as having a vision disorder or other vision
25 problem;

26 (G) the identified vision disorder or problem;

27 and

1 (H) the type of screening equipment used for the
2 screening.

3 (b) Subject to appropriation or from money otherwise
4 available for the purpose, the agency shall, in compliance with all
5 applicable federal and state student privacy laws, acquire and
6 maintain a third-party data management system to facilitate the
7 reporting of information under this section.

8 SECTION 5.16. Section 29.161(c), Education Code, is amended
9 to read as follows:

10 (c) The system must:

11 (1) be reflective of research in the field of early
12 childhood care and education;

13 (2) be well-grounded in the cognitive, social, and
14 emotional development of young children;

15 (3) apply a common set of criteria to each program
16 provider seeking certification, regardless of the type of program
17 or source of program funding; and

18 (4) be capable of fulfilling the reporting and notice
19 requirements of Section [~~Sections~~] 28.006(d) [~~and (g)~~].

20 SECTION 5.17. Section 29.167, Education Code, is amended by
21 amending Subsections (b-1) and (b-3) and adding Subsection (b-4) to
22 read as follows:

23 (b-1) Notwithstanding Subsection (b), each teacher for a
24 prekindergarten class provided by an entity with which a school
25 district contracts to provide a prekindergarten program must:

26 (1) be certified under Subchapter B, Chapter 21, to
27 teach prekindergarten or supervised by a person who meets the

1 requirements under Subsection (b); ~~and~~

2 (2) have one of the following qualifications:

3 (A) at least two years' experience of teaching in
4 a nationally accredited child care program or a Texas Rising Star
5 Program and:

6 (i) a Child Development Associate (CDA)
7 credential or another early childhood education credential
8 approved by the agency; or

9 (ii) certification offered through a
10 training center accredited by Association Montessori
11 Internationale or through the Montessori Accreditation Council for
12 Teacher Education; or

13 (B) a qualification described by Subsection
14 (b)(2)(A), (D), (E), or (F); and

15 (3) when appropriate, be appropriately certified or be
16 supervised by a person who is appropriately certified to provide
17 effective instruction to emergent bilingual students, as defined by
18 Section 29.052, enrolled in the prekindergarten program.

19 (b-3) Subsections (b-1), ~~and~~ (b-2), and (b-4) and this
20 subsection expire September 1, 2029.

21 (b-4) Subsections (b-1) and (b-2) apply to any
22 prekindergarten class provided by an entity with which a school
23 district contracts to provide a prekindergarten program under
24 Section 29.153.

25 SECTION 5.18. Sections 29.934(b) and (d), Education Code,
26 are amended to read as follows:

27 (b) To apply to be designated as a resource campus under

1 this section, the campus must have received an overall performance
2 rating under Section 39.054 of D or F, or an overall performance
3 rating under Section 39.054(a-4)(1) or 39.0546 of "Not Rated," for
4 three [~~four~~] years over a 10-year period of time.

5 (d) To be designated as a resource campus, the campus must:

6 (1) implement a targeted improvement plan as described
7 by Chapter 39A and establish a school community partnership team;

8 (2) adopt an accelerated campus excellence turnaround
9 plan as provided by Section 39A.105(b) [~~except that a classroom~~
10 ~~teacher who satisfies the requirements for demonstrated~~
11 ~~instructional effectiveness under Section 39A.105(b)(3) must also~~
12 ~~hold a current designation assigned under Section 21.3521~~];

13 (3) be in a school district that has adopted an
14 approved local optional teacher designation system under Section
15 21.3521;

16 (4) satisfy certain staff criteria by:

17 (A) requiring a principal or teacher employed at
18 the campus before the designation to apply for a position to
19 continue at the campus;

20 (B) for a subject in the foundation curriculum
21 under Section 28.002(a)(1):

22 (i) employing only teachers who have at
23 least two [~~three~~] years of teaching experience; and

24 (ii) ensuring that at least 50 percent of
25 teachers hold a current designation assigned under Section 21.3521;

26 (C) employing at least one school counselor for
27 every 300 students; and

1 (D) employing at least one appropriately
2 licensed professional to assist with the social and emotional needs
3 of students and staff, who must be a:

- 4 (i) family and community liaison;
- 5 (ii) clinical social worker;
- 6 (iii) specialist in school psychology; or
- 7 (iv) professional counselor;

8 (5) implement a positive behavior program as provided
9 by Section 37.0013;

10 (6) implement a family engagement plan as described by
11 Section 29.168;

12 (7) develop and implement a plan to use high quality
13 instructional materials;

14 (8) if the campus is an elementary or middle school
15 campus, operate the campus for a school year that qualifies for
16 funding under Section 48.0051; and

17 (9) annually submit to the commissioner data and
18 information required by the commissioner to assess fidelity of
19 implementation.

20 SECTION 5.19. Effective September 1, 2028, Section 29.934,
21 Education Code, is amended by amending Subsection (b) and adding
22 Subsection (b-1) to read as follows:

23 (b) To apply to be designated as a resource campus under
24 this section, the campus must have received an overall performance
25 rating under Section 39.054 of D or F, or an overall performance
26 rating under Section 39.054(a-4)(1) of "Not Rated," for three
27 [~~four~~] years over a 10-year period of time.

1 (b-1) Notwithstanding Subsection (b), a campus may apply to
2 be designated as a resource campus under this section if the campus
3 received an overall performance rating under Section 39.054 of D or
4 F, or an overall performance rating under Section 39.054(a-4)(1) or
5 former Section 39.0546 of "Not Rated," for three years over a
6 10-year period of time. This subsection expires September 1, 2033.

7 SECTION 5.20. Section 31.0752, Education Code, is amended
8 to read as follows:

9 Sec. 31.0752. OPEN EDUCATION RESOURCE INSTRUCTIONAL
10 MATERIAL SUPPORT PROGRAM. (a) The agency shall develop and
11 maintain a program to assist school districts and open-enrollment
12 charter schools in adopting and using open education resource
13 instructional material made available under this subchapter,
14 including by assisting districts and schools to:

15 (1) maintain the instructional flexibility of
16 classroom teachers to address the needs of each student; and

17 (2) schedule instructional periods in a manner that
18 allows classroom teachers sufficient time to effectively prepare
19 and present instructional material within the teacher's normal work
20 day.

21 (b) The agency shall engage in efforts to meet the demand
22 from school districts and open-enrollment charter schools that
23 request assistance under this section for the 2024-2025 or
24 2025-2026 school year. A school district or open-enrollment
25 charter school may apply assistance received under this subsection
26 to offset the payment of costs related to implementing open
27 education resource instructional material, regardless of whether

1 the district or school incurred the cost before receiving the
2 assistance. This subsection expires September 1, 2027.

3 SECTION 5.21. Subchapter B-1, Chapter 31, Education Code,
4 is amended by adding Section 31.0754 to read as follows:

5 Sec. 31.0754. COMMUNICATION REGARDING OPEN EDUCATION
6 RESOURCE INSTRUCTIONAL MATERIALS. Notwithstanding Chapter 2113,
7 Government Code, the commissioner may enter into contracts or
8 agreements and engage in efforts to communicate information
9 regarding the development and availability of open education
10 resource instructional materials made available under this
11 subchapter, including activities to promote, market, and advertise
12 the content included in and how to use those materials.

13 SECTION 5.22. Section 38.003, Education Code, is amended by
14 amending Subsection (a) and adding Subsection (a-1) to read as
15 follows:

16 (a) The State Board of Education shall identify the
17 necessary criteria and elements that provide for universal
18 screening [~~Students enrolling in public schools in this state shall~~
19 ~~be screened or tested, as appropriate,~~] for dyslexia and related
20 disorders for students [~~at appropriate times in accordance with a~~
21 ~~program approved by the State Board of Education. The program must~~
22 ~~include screening at the end of the school year of each student~~] in
23 kindergarten and [~~each student in the~~] first grade.

24 (a-1) The criteria and elements identified under Subsection
25 (a) must be included in the reading instruments adopted or approved
26 under Section 28.0063 and administered in accordance with the
27 timelines established under that section.

1 SECTION 5.23. Section 39.333, Education Code, is amended to
2 read as follows:

3 Sec. 39.333. REGIONAL AND DISTRICT LEVEL REPORT. As part of
4 the comprehensive biennial report under Section 39.332, the agency
5 shall submit a regional and district level report covering the
6 preceding two school years and containing:

7 (1) a summary of school district compliance with the
8 student/teacher ratios and class-size limitations prescribed by
9 Sections 25.111 and 25.112, including:

10 (A) the number of campuses and classes at each
11 campus granted an exception from Section 25.112; and

12 (B) for each campus granted an exception from
13 Section 25.112, a statement of whether the campus has been awarded a
14 distinction designation under Subchapter G or has been identified
15 as an unacceptable campus under Chapter 39A;

16 (2) a summary of the exemptions and waivers granted to
17 campuses and school districts under Section 7.056 or 39.232 and a
18 review of the effectiveness of each campus or district following
19 deregulation;

20 (3) an evaluation of the performance of the system of
21 regional education service centers based on the indicators adopted
22 under Section 8.101 and client satisfaction with services provided
23 under Subchapter B, Chapter 8; and

24 (4) ~~[an evaluation of accelerated instruction~~
25 ~~programs offered under Section 28.006, including an assessment of~~
26 ~~the quality of such programs and the performance of students~~
27 ~~enrolled in such programs; and~~

1 ~~[(5)]~~ the number of classes at each campus that are
2 currently being taught by individuals who are not certified in the
3 content areas of their respective classes.

4 SECTION 5.24. Section 48.0051, Education Code, is amended
5 by amending Subsections (a), (b), and (d) and adding Subsection
6 (b-1) to read as follows:

7 (a) The ~~[Subject to Subsection (a-1), the]~~ commissioner
8 shall adjust the average daily attendance of a school district or
9 open-enrollment charter school under Section 48.005 in the manner
10 provided by Subsection (b) if the district or school:

11 (1) provides the minimum number of minutes of
12 operational and instructional time required under Section 25.081
13 and commissioner rules adopted under that section over at least 175
14 ~~[180]~~ days of instruction; and

15 (2) offers an additional 30 days of half-day
16 instruction for students enrolled in prekindergarten through
17 eighth ~~[fifth]~~ grade.

18 (b) Subject to Subsection (b-1), for ~~[For]~~ a school district
19 or open-enrollment charter school described by Subsection (a), the
20 commissioner shall increase the average daily attendance of the
21 district or school under Section 48.005 by the amount that results
22 from the quotient of the sum of attendance by students described by
23 Subsection (a)(2) for each of the 30 additional instructional days
24 of half-day instruction that are provided divided by 175 ~~[180]~~.

25 (b-1) For a school district or open-enrollment charter
26 school described by Subsection (a) that provides at least 200 full
27 days of instruction to students described by Subsection (a)(2), the

1 commissioner shall increase the amount computed for the district or
2 school under Subsection (b) by 50 percent.

3 (d) This section does not prohibit a school district from
4 providing the minimum number of minutes of operational and
5 instructional time required under Section 25.081 and commissioner
6 rules adopted under that section over fewer than 175 [~~180~~] days of
7 instruction.

8 SECTION 5.25. Subchapter A, Chapter 48, Education Code, is
9 amended by adding Section 48.0052 to read as follows:

10 Sec. 48.0052. INCENTIVE FOR ADDITIONAL INSTRUCTIONAL DAYS
11 FOR READING INTERVENTIONS. (a) The commissioner shall adjust the
12 average daily attendance of a school district or open-enrollment
13 charter school under Section 48.005 in the manner provided by
14 Subsection (b) if the district or school:

15 (1) does not qualify for funding under Section
16 48.0051;

17 (2) provides the minimum number of minutes of
18 operational and instructional time required under Section 25.081
19 and commissioner rules adopted under that section; and

20 (3) offers up to an additional 30 days of half-day
21 instruction consisting of reading interventions described by
22 Section 28.0064 for students who are required to be provided
23 reading interventions under that section.

24 (b) For a school district or open-enrollment charter school
25 described by Subsection (a), the commissioner shall increase the
26 average daily attendance of the district or school under Section
27 48.005 by 50 percent of the amount that results from the quotient of

1 the sum of attendance by students described by Subsection (a)(3)
2 for each of the additional instructional days of half-day
3 instruction that are provided divided by 175.

4 (c) The agency shall assist school districts and
5 open-enrollment charter schools in qualifying for the incentive
6 under this section.

7 (d) The commissioner shall adopt rules necessary for the
8 implementation of this section.

9 SECTION 5.26. Section 48.108, Education Code, is amended by
10 amending Subsections (a), (b), and (c) and adding Subsection (a-1)
11 to read as follows:

12 (a) For each student in average daily attendance in
13 kindergarten through third grade, a school district is entitled to
14 an annual allotment equal to the basic allotment multiplied by
15 0.01.

16 (a-1) In addition to the allotment under Subsection (a), a
17 school district is entitled to an annual allotment equal to the
18 basic allotment multiplied by 0.1 for each student in average daily
19 attendance in kindergarten through third grade who [0.1 if the
20 student] is:

- 21 (1) educationally disadvantaged; or
22 (2) an emergent bilingual student, as defined by
23 Section 29.052, and is in a bilingual education or special language
24 program under Subchapter B, Chapter 29.

25 (b) Funds allocated under this section must be used to fund:

26 (1) the attendance of teachers employed by the
27 district at teacher literacy achievement academies under Section

1 21.4552 or teacher mathematics achievement academies under Section
2 21.4553;

3 (2) prekindergarten programs under Subchapters E and
4 E-1, Chapter 29; and

5 (3) programs and services designed to improve student
6 performance in reading and mathematics in prekindergarten through
7 third grade, including programs and services designed to assist the
8 district in achieving the goals set in the district's early
9 childhood literacy and mathematics proficiency plans adopted under
10 Section 11.185.

11 (c) A school district is entitled to an allotment under each
12 subdivision of Subsection (a-1) [~~(a)~~] for which a student
13 qualifies.

14 SECTION 5.27. Subchapter C, Chapter 48, Education Code, is
15 amended by adding Sections 48.1081 and 48.122 to read as follows:

16 Sec. 48.1081. DISTRIBUTION OF CERTAIN EARLY EDUCATION
17 ALLOTMENT MONEY FOR PURPOSES OF FULL-DAY PREKINDERGARTEN. (a)
18 This section applies only to money to which a school district is
19 entitled under Section 48.108(a-1).

20 (b) Notwithstanding any other provision of this chapter,
21 from the total amount of money to which school districts are
22 entitled under Section 48.108(a-1), the agency shall, instead of
23 providing money to which this section applies to school districts
24 in accordance with Section 48.108(a-1), distribute that money as
25 follows:

26 (1) provide to each school district that operates a
27 full-day program under Section 29.153(c), funding under this

1 chapter based on one-half of the average daily attendance
2 calculated under Section 48.005 for each student in that program;
3 and

4 (2) if any amount remains after distributing money
5 under Subdivision (1), provide to each school district an amount
6 that is proportional to the district's entitlement under Section
7 48.108(a-1).

8 Sec. 48.122. EARLY LITERACY INTERVENTION ALLOTMENT. (a)
9 Except as provided by Subsections (b) and (c), for each enrolled
10 student receiving reading interventions under Section 28.0064, a
11 school district is entitled to an annual allotment of \$250, or a
12 greater amount provided by appropriation.

13 (b) A school district may not receive funding under this
14 section for a student for which the district receives an allotment
15 under Section 48.103.

16 (c) A school district may receive funding under this section
17 for not more than 10 percent of students enrolled in the district in
18 kindergarten through third grade.

19 SECTION 5.28. Subchapter G, Chapter 48, Education Code, is
20 amended by adding Section 48.317 to read as follows:

21 Sec. 48.317. THIRD GRADE SUPPLEMENTARY SUPPORTS GRANT;
22 FUNDING ADJUSTMENT. (a) A student to whom the agency provides a
23 grant under Section 28.02111 is entitled to receive an amount of
24 \$400 for each grant for which the student is eligible under that
25 section, or a greater amount provided by appropriation.

26 (b) A student may receive only one grant under Section
27 28.02111(a)(1) and one grant under Section 28.02111(a)(2) unless

1 the legislature provides for additional grants by appropriation.

2 (c) Subject to Subsection (d), beginning with the 2030-2031
3 school year, the agency shall reduce the school district's
4 entitlement under this chapter each school year by the total amount
5 of grant money received by a student under Subsection (a) for each
6 student who:

7 (1) fails to perform satisfactorily on the third grade
8 reading assessment instrument administered under Section
9 39.023(a);

10 (2) received and used a grant under Section 28.02111;
11 and

12 (3) was enrolled in the district from kindergarten
13 through third grade.

14 (d) For a student described by Subsection (c) who is
15 eligible to participate in a school district's special education
16 program under Section 29.003, the agency shall reduce the
17 district's entitlement in accordance with Subsection (c) by
18 one-half of the amount determined for the student under that
19 subsection.

20 (e) Notwithstanding Section 7.057, a determination by the
21 commissioner under this section is final and may not be appealed.

22 SECTION 5.29. The following provisions of the Education
23 Code are repealed:

24 (1) Section 7.058;

25 (2) Sections 28.006(c), (c-1), (g), (g-1), (g-2), (i),
26 (j), and (k); and

27 (3) Section 28.007.

1 SECTION 5.30. To the extent of any conflict between the
2 changes made to the Education Code by this article and the changes
3 made to the Education Code by another Act of the 89th Legislature,
4 Regular Session, 2025, the changes made by this article prevail.

5 SECTION 5.31. (a) Except as provided by Subsection (b) of
6 this section, Sections [12.104](#), [21.4552](#), [21.4553](#), [25.085](#), [28.006](#),
7 [29.153](#), [29.1543](#), [29.167](#), [29.934](#), and [39.333](#), Education Code, as
8 amended by this article, and Sections 28.0063, 28.0064, and
9 28.0065, Education Code, as added by this article, apply beginning
10 with the 2025-2026 school year.

11 (b) Section 28.02111, Education Code, as added by this
12 article, applies beginning with the 2026-2027 school year.

13 (c) Sections [29.153](#)(g) and [29.1531](#), Education Code, as
14 amended by this article, apply beginning with the 2027-2028 school
15 year.

16 SECTION 5.32. (a) Sections [48.0051](#) and [48.108](#), Education
17 Code, as amended by this article, and Sections 48.0052, 48.1081,
18 and 48.122, Education Code, as added by this article, take effect
19 September 1, 2025.

20 (b) Section 48.317, Education Code, as added by this
21 article, takes effect September 1, 2026.

22 (c) Section [29.1543](#)(b), Education Code, as added by this
23 article, takes effect September 1, 2027.

24 (d) Except as provided by Subsection (a) of this section or
25 as otherwise provided by this article, this article takes effect
26 immediately if this Act receives a vote of two-thirds of all the
27 members elected to each house, as provided by Section [39](#), Article

1 III, Texas Constitution. If this Act does not receive the vote
2 necessary for immediate effect, this article takes effect September
3 1, 2025.

4 ARTICLE 6. COLLEGE, CAREER, AND MILITARY READINESS

5 SECTION 6.01. Section 4.002, Education Code, is amended to
6 read as follows:

7 Sec. 4.002. PUBLIC EDUCATION ACADEMIC GOALS. To serve as a
8 foundation for a well-balanced and appropriate education:

9 GOAL 1: The students in the public education system
10 will demonstrate exemplary performance in the reading and writing
11 of the English language.

12 GOAL 2: The students in the public education system
13 will demonstrate exemplary performance in the understanding of
14 mathematics.

15 GOAL 3: The students in the public education system
16 will demonstrate exemplary performance in the understanding of
17 science.

18 GOAL 4: The students in the public education system
19 will demonstrate exemplary performance in the understanding of
20 social studies.

21 GOAL 5: The students who graduate high school in the
22 public education system will have the skills and credentials
23 necessary to immediately enter this state's workforce.

24 GOAL 6: The students who graduate high school in the
25 public education system and who elect to pursue postsecondary
26 education will be ready for postsecondary coursework without the
27 need for remediation.

1 SECTION 6.02. Subchapter B, Chapter 7, Education Code, is
2 amended by adding Sections 7.0405 and 7.043 to read as follows:

3 Sec. 7.0405. POSTING OF POSTSECONDARY OUTCOMES. (a)
4 Subject to Subsection (b), the agency shall post on the agency's
5 Internet website the following de-identified data, disaggregated
6 by school district or open-enrollment charter school, high school
7 campus, and annual cohort for the 10 most recent annual cohorts:

8 (1) for students who graduate from high school:

9 (A) the number and percentage of students who
10 enroll in, enroll in remedial postsecondary coursework as part of,
11 persist for at least one year in, or complete a postsecondary
12 degree, certificate, or other credentialing program, disaggregated
13 by program and postsecondary educational institution; and

14 (B) employment status, occupation, industry,
15 wage, and county of employment and residence, as reported under
16 Section 204.0025, Labor Code; and

17 (2) for students who did not graduate from high
18 school:

19 (A) the highest grade level completed;

20 (B) for each cohort for which data is available,
21 employment status, occupation, industry, wage, and county of
22 employment and residence, as reported under Section 204.0025, Labor
23 Code; and

24 (C) whether the student has earned a high school
25 equivalency certificate.

26 (b) The agency is required to provide data regarding
27 students who graduate from high school and enroll in remedial

1 postsecondary coursework as part of a postsecondary degree,
2 certificate, or other credentialing program under Subsection
3 (a)(1)(A) only to the extent that data is available.

4 (c) The agency shall post the data required under Subsection
5 (a) in a manner that complies with the Family Educational Rights and
6 Privacy Act of 1974 (20 U.S.C. Section 1232g) and may, if necessary
7 to comply with that act, create a private portal for school district
8 board of trustees or open-enrollment charter school governing body
9 members, school administrators, and school counselors at a high
10 school to access data for the member's, administrator's, or
11 counselor's school district or open-enrollment charter school.

12 (d) The agency shall ensure the data posted under Subsection
13 (a) is made available to:

14 (1) school district board of trustees and
15 open-enrollment charter school governing body members and
16 superintendents to assist in adopting college, career, and military
17 readiness plans under Section [11.186](#); and

18 (2) school counselors at a high school to assist the
19 counselors in performing the duties under Section [33.007](#).

20 Sec. 7.043. STATEWIDE GOAL FOR CAREER READINESS. (a) Using
21 the data posted under Section 7.0405(a), the agency shall create a
22 quantifiable statewide goal for public school students to achieve
23 career readiness, including by attaining a workforce-aligned
24 credential while in high school.

25 (b) The agency shall update the goal created under
26 Subsection (a) at least once every five years.

27 SECTION 6.03. Section [11.186](#), Education Code, is amended by

1 amending Subsections (b) and (c) and adding Subsections (d), (e),
2 and (f) to read as follows:

3 (b) Each plan adopted under Subsection (a) must:

4 (1) identify annual goals for students in each group
5 evaluated under the closing the gaps domain under Section
6 39.053(c)(3);

7 (2) include an annual goal [~~goals~~] for aggregate
8 student growth on each college, career, and military readiness
9 indicator [~~indicators~~] evaluated under the student achievement
10 domain under Section 39.053(c)(1);

11 (3) assign at least one district-level administrator
12 or employee of the regional education service center for the
13 district's region to:

14 (A) coordinate implementation of the plan; and

15 (B) submit an annual report to the board of
16 trustees, the agency, and the Legislative Budget Board on the
17 district's performance and progress toward the goals set under the
18 plan; and

19 (4) be reviewed and approved by majority vote annually
20 by the board of trustees at a public meeting.

21 (c) In identifying and including goals in each plan adopted
22 under Subsection (a) as provided by Subsection (b), the board of
23 trustees shall use longitudinal student outcomes data posted under
24 Section 7.0405(a) and any other resources available to the board.

25 (d) A school district shall post the annual report described
26 by Subsection (b)(3)(B) on the district's Internet website and on
27 the Internet website, if any, of each campus in the district not

1 later than two weeks before the date of the public meeting at which
2 the report is reviewed and approved as required by Subsection
3 (b)(4). The district shall update the annual report on each
4 Internet website if any modifications are made to the report by the
5 board of trustees.

6 (e) The commissioner by rule shall establish a deadline for
7 the submission of the annual reports described by Subsection
8 (b)(3)(B). The agency shall compile and make publicly accessible on
9 the agency's Internet website the annual reports.

10 (f) The agency may evaluate the goals identified or included
11 in an annual report described by Subsection (b)(3)(B) to determine
12 whether those goals align with state secondary, postsecondary, and
13 workforce goals.

14 SECTION 6.04. Section 28.0095, Education Code, is amended
15 by adding Subsection (c-1) to read as follows:

16 (c-1) Notwithstanding Subsection (c)(1)(A), a student
17 otherwise described by Subsection (c) is eligible to enroll at no
18 cost in a dual credit course under the program if the student has
19 graduated from high school but is:

20 (1) enrolled in a school district or open-enrollment
21 charter school at a campus designated as a P-TECH school under
22 Section 29.556 or in a school district participating in a
23 partnership under Section 29.912; and

24 (2) completing a course of study offered through an
25 articulation agreement or memorandum of understanding with an
26 institution of higher education and the district or school
27 described by Subdivision (1), as applicable, under the Pathways in

1 Technology Early College High School (P-TECH) program under
2 Subchapter N, Chapter 29, or the Rural Pathway Excellence
3 Partnership (R-PEP) program under Section 29.912.

4 SECTION 6.05. Section 29.182(b), Education Code, is amended
5 to read as follows:

6 (b) The state plan must include procedures designed to
7 ensure that:

8 (1) all secondary and postsecondary students have the
9 opportunity to participate in career and technology education
10 programs;

11 (2) the state complies with requirements for
12 supplemental federal career and technology education funding;

13 (3) career and technology education is established as
14 a part of the total education system of this state and constitutes
15 an option for student learning that provides a rigorous course of
16 study consistent with the required curriculum under Section 28.002
17 and under which a student may receive specific education in a career
18 and technology program that:

19 (A) incorporates competencies leading to
20 academic and technical skill attainment;

21 (B) leads to:

22 (i) an industry-recognized license,
23 credential, or certificate; or

24 (ii) at the postsecondary level, an
25 associate or baccalaureate degree;

26 (C) includes opportunities for students to earn
27 college credit for coursework; and

1 (D) includes, as an integral part of the program,
2 participation by students and teachers in activities of career and
3 technical student organizations supported by the agency and the
4 State Board of Education; ~~and~~

5 (4) a school district provides, to the greatest extent
6 possible, to a student participating in a career and technology
7 education program opportunities to enroll in dual credit courses
8 designed to lead to a degree, license, or certification as part of
9 the program; and

10 (5) a course of study offered under a Junior Reserve
11 Officers' Training Corps program established under 10 U.S.C.
12 Section 2031 is considered a career and technology education
13 program.

14 SECTION 6.06. Sections 29.190(a-1), (b), and (c), Education
15 Code, are amended to read as follows:

16 (a-1) A student may not receive more than two subsidies ~~[one~~
17 ~~subsidy]~~ under this section.

18 (b) A teacher is entitled to a subsidy under this section if
19 the teacher passes a certification examination related to career
20 and technology education ~~[cybersecurity]~~.

21 (c) On approval by the commissioner, the agency shall pay
22 each school district an amount equal to the cost paid by the
23 district for a certification examination under this section,
24 including any costs paid for associated fingerprinting or criminal
25 history record information review. To obtain reimbursement for a
26 subsidy paid under this section, a district must:

27 (1) pay the costs described by this subsection ~~[fee~~

1 ~~for the examination~~]; and

2 (2) submit to the commissioner a written application
3 on a form prescribed by the commissioner stating the amount of the
4 costs [~~fee~~] paid under Subdivision (1) [~~for the certification~~
5 ~~examination~~].

6 SECTION 6.07. Subchapter ~~2~~, Chapter ~~29~~, Education Code, is
7 amended by adding Section 29.9017 to read as follows:

8 Sec. 29.9017. NOTICE REGARDING MILITARY-RELATED TRAINING
9 PROGRAMS. (a) As part of the high school registration process and
10 annually, a school district or open-enrollment charter school shall
11 notify the parent or guardian of each student enrolled in a Junior
12 Reserve Officers' Training Corps program established under 10
13 U.S.C. Section 2031 regarding any early registration or scholarship
14 program available to students in military-related training
15 programs.

16 (b) The notice required under Subsection (a) must provide
17 the student's parent or guardian with the option to share the
18 student's data with one or more public institutions of higher
19 education for the purpose of learning about any opportunity to
20 participate in an early registration or scholarship program
21 described by Subsection (a), including:

22 (1) the student's directory contact information;

23 (2) the student's education records; or

24 (3) any other information prescribed by Texas Higher
25 Education Coordinating Board rule that would allow the student to
26 learn about an opportunity to participate in military-related
27 training programs at public institutions of higher education,

1 including financial aid or scholarship programs.

2 SECTION 6.08. Section 29.912, Education Code, is amended by
3 adding Subsection (c-1) and amending Subsection (j) to read as
4 follows:

5 (c-1) A school district that has participated in the program
6 may continue to participate in the program regardless of the number
7 of students in average daily attendance in the district for the
8 current school year.

9 (j) The commissioner shall make grants available for use by
10 a coordinating entity for a two-year period to assist with costs
11 associated with the planning, development, establishment, or
12 expansion, as applicable, of partnerships under the program using
13 ~~[a portion of state funds allocated under Section 48.118 as well as]~~
14 money appropriated for that purpose, federal funds, and any other
15 funds available. The commissioner may award a grant only to a
16 coordinating entity that has entered into a performance agreement
17 approved under Subsection (i) or, if in the planning stage, has
18 entered into a memorandum of understanding to enter into a
19 performance agreement, unless the source of funds does not permit a
20 grant to the coordinating entity, in which case the grant shall be
21 made to a participating school district acting as fiscal agent.
22 Eligible use of grant funds shall include planning, development,
23 establishment, or expansion of partnerships under the program. The
24 commissioner may use not more than 15 percent of the money allocated
25 for the grants to cover the cost of administering grants awarded
26 under the program and to provide technical assistance and support
27 to partnerships under the program. The total amount of grants

1 awarded under this subsection for a school year may not exceed \$5
2 million.

3 SECTION 6.09. Section 33.007, Education Code, is amended by
4 amending Subsection (b) and adding Subsection (d) to read as
5 follows:

6 (b) During the first school year a student is enrolled in a
7 high school or at the high school level in an open-enrollment
8 charter school, and again during each year of a student's
9 enrollment in high school or at the high school level, a school
10 counselor shall provide information about postsecondary education
11 to the student and the student's parent or guardian. The
12 information must include information regarding:

13 (1) the importance of postsecondary education,
14 including:

15 (A) career readiness and workforce training
16 opportunities; and

17 (B) a link to the My Texas Future Internet
18 website and information regarding how to create a profile on that
19 website;

20 (2) the advantages of earning an endorsement and a
21 performance acknowledgment and completing the distinguished level
22 of achievement under the foundation high school program under
23 Section 28.025;

24 (3) the disadvantages of taking courses to prepare for
25 a high school equivalency examination relative to the benefits of
26 taking courses leading to a high school diploma;

27 (4) financial aid eligibility;

1 (5) instruction on how to apply for federal financial
2 aid;

3 (6) the center for financial aid information
4 established under Section 61.0776;

5 (7) the automatic admission of certain students to
6 general academic teaching institutions as provided by Section
7 51.803;

8 (8) the eligibility and academic performance
9 requirements for the TEXAS Grant as provided by Subchapter M,
10 Chapter 56;

11 (9) the availability of programs in the district under
12 which a student may earn college credit, including advanced
13 placement programs, dual credit programs, joint high school and
14 college credit programs, and international baccalaureate programs;

15 (10) the availability of education and training
16 vouchers and tuition and fee waivers to attend an institution of
17 higher education as provided by Section 54.366 for a student who is
18 or was previously in the conservatorship of the Department of
19 Family and Protective Services; ~~and~~

20 (11) the availability of college credit awarded by
21 institutions of higher education to veterans and military
22 servicemembers for military experience, education, and training
23 obtained during military service as described by the informational
24 materials developed under Section 302.0031(h), Labor Code;

25 (12) opportunities to complete career training and
26 obtain a postsecondary credential while enrolled in high school,
27 whether at the student's campus, another campus in the school

1 district or open-enrollment charter school, or an educational
2 institution that partners with the district or school, including:

3 (A) information regarding program costs, program
4 completion rates, and the average wages of students who complete
5 the program; and

6 (B) the availability of information regarding
7 those opportunities on the My Texas Future Internet website; and

8 (13) the outcomes of graduates from the campus and
9 school district or open-enrollment charter school in which the
10 student is enrolled, including completion rates and average wages
11 based on postsecondary pathways available to those graduates at the
12 campus, district, or school using data posted under Section
13 7.0405(a) or available on the My Texas Future Internet website.

14 (d) The agency or the Texas Higher Education Coordinating
15 Board shall make available to school counselors an annual online
16 training regarding statewide trends identified in the data posted
17 under Section 7.0405(a) or available on the My Texas Future
18 Internet website. The training must include information to assist
19 school counselors in identifying the postsecondary outcomes for
20 students at the counselor's campus and school district or
21 open-enrollment charter school for purposes of performing the
22 counselor's duties under this section. The agency or the
23 coordinating board may make the training available through the
24 Texas OnCourse Internet website.

25 SECTION 6.10. The heading to Section 39.0261, Education
26 Code, is amended to read as follows:

27 Sec. 39.0261. COLLEGE PREPARATION AND CAREER READINESS

1 ASSESSMENTS.

2 SECTION 6.11. Section 39.0261(a), Education Code, is
3 amended to read as follows:

4 (a) In addition to the assessment instruments otherwise
5 authorized or required by this subchapter:

6 (1) each school year and at state cost, a school
7 district may administer to students in the spring of the eighth
8 grade an established, valid, reliable, and nationally
9 norm-referenced preliminary college preparation assessment
10 instrument for the purpose of diagnosing the academic strengths and
11 deficiencies of students before entrance into high school;

12 (2) each school year and at state cost, a school
13 district may administer to students in the 10th grade an
14 established, valid, reliable, and nationally norm-referenced
15 preliminary college preparation assessment instrument for the
16 purpose of measuring a student's progress toward readiness for
17 college and the workplace; and

18 (3) high school students in the spring of the 11th
19 grade or during the 12th grade may select and take once, at state
20 cost:

21 (A) one of the valid, reliable, and nationally
22 norm-referenced assessment instruments used by colleges and
23 universities as part of their undergraduate admissions processes;
24 ~~[or]~~

25 (B) the assessment instrument designated by the
26 Texas Higher Education Coordinating Board under Section 51.334; or

27 (C) a nationally recognized career readiness

1 assessment instrument that measures foundational workforce skills
2 approved by commissioner rule.

3 SECTION 6.12. Section 45.105(c), Education Code, is amended
4 to read as follows:

5 (c) Local school funds from district taxes, tuition fees of
6 students not entitled to a free education, other local sources, and
7 state funds not designated for a specific purpose may be used for
8 the purposes listed for state and county available funds and for
9 purchasing appliances and supplies, paying insurance premiums,
10 paying janitors and other employees, buying school sites, buying,
11 building, repairing, and renting school buildings, including
12 acquiring school buildings and sites by leasing through annual
13 payments with an ultimate option to purchase, providing advising
14 support as described by Section 48.0035(1), and educating students
15 as described by Section 48.0035(2), and, except as provided by
16 Subsection (c-1), for other purposes necessary in the conduct of
17 the public schools determined by the board of trustees. The
18 accounts and vouchers for county districts must be approved by the
19 county superintendent. If the state available school fund in any
20 municipality or district is sufficient to maintain the schools in
21 any year for at least eight months and leave a surplus, the surplus
22 may be spent for the purposes listed in this subsection.

23 SECTION 6.13. Section 48.003(a), Education Code, is amended
24 to read as follows:

25 (a) A student is entitled to the benefits of the Foundation
26 School Program if, on September 1 of the school year, the student:

27 (1) is 5 years of age or older and under 21 years of age

1 and:

2 (A) has not graduated from high school; or

3 (B) has graduated from high school but is:

4 (i) enrolled in a school district at a
5 campus designated as a P-TECH school under Section 29.556 or in a
6 school district participating in a partnership under Section
7 29.912; and

8 (ii) completing a course of study offered
9 through an articulation agreement or memorandum of understanding
10 with an institution of higher education, as defined by Section
11 61.003, and the district described by Subparagraph (i), as
12 applicable, under the Pathways in Technology Early College High
13 School (P-TECH) program under Subchapter N, Chapter 29, and the
14 Rural Pathway Excellence Partnership (R-PEP) program under Section
15 29.912, regardless of whether the student is enrolled in the
16 district providing the course of study;

17 (2) [~~1~~] is at least 21 years of age and under 26
18 years of age and has been admitted by a school district to complete
19 the requirements for a high school diploma; or

20 (3) [~~2~~] is at least 18 years of age and under 50
21 years of age and is enrolled in an adult education program provided
22 under the adult high school charter school program under Subchapter
23 G, Chapter 12.

24 SECTION 6.14. Subchapter A, Chapter 48, Education Code, is
25 amended by adding Section 48.0035 to read as follows:

26 Sec. 48.0035. USE OF FUNDING FOR CERTAIN PURPOSES. A school
27 district may use funding to which the district is entitled under

1 this chapter to:

2 (1) provide district graduates, during the first two
3 years after high school graduation, advising support toward the
4 successful completion of a certificate or degree program at a
5 public institution of higher education or a postsecondary
6 vocational training program; and

7 (2) educate a student who has graduated from high
8 school but is enrolled in the district in a program through which
9 the student may earn dual credit, including the Pathways in
10 Technology Early College High School (P-TECH) program under
11 Subchapter N, Chapter 29, and the Rural Pathway Excellence
12 Partnership (R-PEP) program under Section 29.912.

13 SECTION 6.15. Section 48.106(a-1), Education Code, is
14 amended to read as follows:

15 (a-1) In addition to the amounts under Subsection (a), [~~for~~
16 ~~each student in average daily attendance,~~] a district is entitled
17 to \$150 [~~\$50~~] for each [~~of the following in which the~~] student in
18 average daily attendance who [~~is enrolled~~]:

19 (1) is enrolled in a campus designated as a P-TECH
20 school under Section 29.556; or

21 (2) completes a course of study offered under the
22 Pathways in Technology Early College High School (P-TECH) program
23 under Subchapter N, Chapter 29, or the Rural Pathway Excellence
24 Partnership (R-PEP) program under Section 29.912, regardless of
25 whether the student is enrolled in the district that provides the
26 course of study [~~a campus that is a member of the New Tech Network~~
27 ~~and that focuses on project-based learning and work-based~~

1 ~~education]~~.

2 SECTION 6.16. Sections 48.106(b)(1) and (1-a), Education
3 Code, are amended to read as follows:

4 (1) "Approved career and technology education
5 program":

6 (A) means:

7 (i) a sequence of career and technology
8 education courses, including technology applications courses,
9 authorized by the State Board of Education; and

10 (ii) courses offered under a Junior Reserve
11 Officers' Training Corps program established under 10 U.S.C.
12 Section 2031; and

13 (B) includes only courses that qualify for high
14 school credit.

15 (1-a) "Approved program of study" means a course
16 sequence that:

17 (A) provides students with the knowledge and
18 skills necessary for success in the students' chosen careers,
19 including the military; and

20 (B) is approved by the agency for purposes of the
21 Strengthening Career and Technical Education for the 21st Century
22 Act (Pub. L. No. 115-224).

23 SECTION 6.17. Section 48.118, Education Code, is amended by
24 adding Subsection (a-3) and amending Subsection (f) to read as
25 follows:

26 (a-3) Notwithstanding Subsection (a), a school district
27 described by Section 29.912(c-1) may receive funding under this

1 section for up to 110 percent of the number of students who
2 qualified under Subsection (a) for the school year immediately
3 preceding the school year in which the district's enrollment first
4 reached 1,600 or more.

5 (f) The total amount of state funding for allotments and
6 outcomes bonuses under this section may not exceed \$20 [~~\$5~~] million
7 per year. If the total amount of allotments and outcomes bonuses to
8 which school districts are entitled under this section exceeds the
9 amount permitted under this subsection, the agency shall allocate
10 state funding to districts under this section in the following
11 order:

12 (1) [~~allotments under Subsection (a) for which school~~
13 ~~districts participating in partnerships prioritized under Section~~
14 ~~29.912(h) are eligible;~~

15 [~~(2)~~] allotments under Subsection (a) for which school
16 districts that entered into a memorandum of understanding or letter
17 of commitment regarding a multidistrict pathway partnership, as
18 defined by commissioner rule, before May 1, 2023, are eligible;

19 (2) [~~(3)~~] allotments under Subsection (a) for which
20 school districts that have entered into a performance agreement
21 under Section 29.912 with a coordinating entity that is an
22 institution of higher education, as defined by Section 61.003, are
23 eligible;

24 (3) [~~(4)~~] allotments under Subsection (a) for which
25 school districts with the highest percentage of students who are
26 educationally disadvantaged, in descending order, are eligible;
27 and

1 (4) [~~5~~] outcomes bonuses under Subsection (c) for
2 which school districts with the highest percentage of students who
3 are educationally disadvantaged, in descending order, are
4 eligible.

5 SECTION 6.18. Section 48.152(a)(2), Education Code, is
6 amended to read as follows:

7 (2) "New instructional facility" includes:

8 (A) a newly constructed instructional facility;

9 (B) a repurposed instructional facility; ~~and~~

10 (C) a leased facility operating for the first
11 time as an instructional facility with a minimum lease term of not
12 less than 10 years; and

13 (D) a renovated portion of an instructional
14 facility to be used for the first time to provide high-cost and
15 undersubscribed career and technology education programs, as
16 determined by the commissioner.

17 SECTION 6.19. Section 48.152(f), Education Code, is amended
18 to read as follows:

19 (f) The amount appropriated for allotments under this
20 section may not exceed \$150 [~~\$100~~] million in a school year. If the
21 total amount of allotments to which districts are entitled under
22 this section for a school year exceeds the amount appropriated
23 under this subsection, the commissioner:

24 (1) shall reduce each district's allotment under this
25 section in the manner provided by Section 48.266(f); and

26 (2) for new instructional facilities described by
27 Subsection (a)(2)(D), may remove a career and technology education

1 program from the list of programs that qualify under that
2 subsection.

3 SECTION 6.20. The heading to Section 48.155, Education
4 Code, is amended to read as follows:

5 Sec. 48.155. COLLEGE PREPARATION AND CAREER READINESS
6 ASSESSMENT REIMBURSEMENT.

7 SECTION 6.21. Section 48.156, Education Code, is amended to
8 read as follows:

9 Sec. 48.156. CERTIFICATION EXAMINATION REIMBURSEMENT. (a)
10 A school district is entitled to reimbursement for the amount of a
11 subsidy paid by the district for not more than two [~~a student's~~]
12 certification examinations per student [~~examination~~] under Section
13 29.190(a), including costs paid for associated fingerprinting or
14 criminal history record information review, as provided by Section
15 29.190(c).

16 (b) Notwithstanding Subsection (a), the total amount that
17 may be used for reimbursement under that subsection for a school
18 year may not exceed \$20 million, of which not more than \$500,000 may
19 be used to reimburse the costs of fingerprinting or criminal
20 history record information review. If the total amount to which
21 school districts are entitled under Subsection (a) exceeds the
22 amount permitted under this subsection, the commissioner shall
23 proportionately reduce each school district's entitlement under
24 this section.

25 SECTION 6.22. (a) This section takes effect only if S.B.
26 1786, 89th Legislature, Regular Session, 2025, becomes law.

27 (b) Section 204.0025, Labor Code, is amended to read as

1 follows:

2 Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. The
3 commission shall [~~It is the intent of the legislature that the~~
4 ~~commission, subject to the availability of federal funding or other~~
5 ~~resources for the purpose,~~] work with employers to enhance the
6 reporting of employment and earnings data by employers to the
7 commission as part of an employer's routine wage filings under this
8 subtitle or commission rule and consistent with federal law and
9 regulations. The enhanced wage filings must include information
10 related to wage, industry, occupational field, full-time and
11 part-time status, county of primary employment, remote work status,
12 [~~occupation~~] and other important employment information necessary
13 to conduct the assessment required under Section 302.0205 [~~that~~
14 ~~would improve the state's labor market information~~].

15 SECTION 6.23. (a) This section takes effect only if S.B.
16 1786, 89th Legislature, Regular Session, 2025, does not become law.

17 (b) Section 204.0025, Labor Code, is amended to read as
18 follows:

19 Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. The
20 commission shall [~~It is the intent of the legislature that the~~
21 ~~commission, subject to the availability of federal funding or other~~
22 ~~resources for the purpose,~~] work with employers to enhance the
23 reporting of employment and earnings data by employers to the
24 commission as part of an employer's routine wage filings under this
25 subtitle or commission rule and consistent with federal law and
26 regulations. The enhanced wage filings must include information
27 related to wage, industry, occupational field, full-time and

1 part-time status, county of primary employment, remote work status,
2 ~~[occupation]~~ and other important employment information that would
3 improve the state's labor market information.

4 SECTION 6.24. The heading to Section 312.003, Labor Code,
5 is amended to read as follows:

6 Sec. 312.003. INVENTORY OF CERTIFICATIONS [~~CREDENTIALS AND~~
7 ~~CERTIFICATES~~].

8 SECTION 6.25. Sections 312.003(a), (b), (c), and (d), Labor
9 Code, are amended to read as follows:

10 (a) The advisory council shall develop an inventory of
11 industry-recognized certifications [~~credentials and certificates~~]
12 that may be earned by a public high school student through a career
13 and technology education program and that:

14 (1) are aligned to state and regional workforce needs;
15 and

16 (2) serve as an entry point to middle- and high-wage
17 jobs.

18 (b) The inventory must include for each certification
19 [~~credential or certificate~~]:

20 (1) the associated career cluster;

21 (2) the awarding entity;

22 (3) the level of education required and any additional
23 requirements for the certification [~~credential or certificate~~];

24 (4) any fees for obtaining the certification
25 [~~credential or certificate~~]; and

26 (5) the average wage or salary for jobs that require or
27 prefer the certification [~~credential or certificate~~].

1 (c) In developing the inventory, the advisory council may
2 consult with local workforce boards, the Texas Workforce Investment
3 Council, the Texas Economic Development and Tourism Office, the
4 Texas Education Agency, and the Texas Higher Education Coordinating
5 Board.

6 (d) The advisory council shall establish a process for
7 developing the inventory, including the criteria for the inclusion
8 of a certification [~~credential or certificate~~] in the inventory.

9 SECTION 6.26. Section 29.912(h), Education Code, is
10 repealed.

11 SECTION 6.27. The Texas Education Agency shall first update
12 the statewide goal for career readiness created under Section
13 7.043(a), Education Code, as added by this article, in accordance
14 with Subsection (b) of that section not later than the 2028-2029
15 school year.

16 SECTION 6.28. Section 28.0095(c-1), Education Code, as
17 added by this article, and Sections 29.190, 29.912, 33.007(b), and
18 39.0261(a), Education Code, as amended by this article, apply
19 beginning with the 2025-2026 school year.

20 SECTION 6.29. (a) Except as provided by Subsection (b) of
21 this section and as otherwise provided by this article, this
22 article takes effect immediately if this Act receives a vote of
23 two-thirds of all the members elected to each house, as provided by
24 Section 39, Article III, Texas Constitution. If this Act does not
25 receive the vote necessary for immediate effect, this article takes
26 effect September 1, 2025.

27 (b) The amendments by this article to Chapter 48, Education

1 Code, take effect September 1, 2025.

2 ARTICLE 7. CHANGES RELATED TO PUBLIC EDUCATION AND PUBLIC SCHOOL
3 FINANCE

4 SECTION 7.01. Subchapter C, Chapter 7, Education Code, is
5 amended by adding Section 7.0611 to read as follows:

6 Sec. 7.0611. FACILITY USAGE REPORT. (a) In this section,
7 "instructional facility" has the meaning assigned by Section
8 46.001.

9 (b) The agency by rule shall require each school district to
10 annually report the following information in the form and manner
11 prescribed by the agency:

12 (1) the square footage of each school district
13 facility and the acreage of land on which each facility sits;

14 (2) the total student capacity for each instructional
15 facility on a district campus;

16 (3) for each campus in the school district:

17 (A) the enrollment capacity of the campus and of
18 each grade level offered at the campus; and

19 (B) the number of students currently enrolled at
20 the campus and in each grade level offered at the campus;

21 (4) whether a school district facility is used by one
22 or more campuses and the campus identifier of each campus that uses
23 the facility;

24 (5) what each school district facility is used for,
25 including:

26 (A) an instructional facility;

27 (B) a career and technology center;

- 1 (C) an administrative building;
- 2 (D) a food service facility;
- 3 (E) a transportation facility; and
- 4 (F) vacant land; and

5 (6) whether each school district facility is leased or
6 owned.

7 (c) From the information submitted under Subsection (b),
8 the agency shall produce and make available to the public on the
9 agency's Internet website an annual report on school district land
10 and facilities. The agency may combine the report required under
11 this section with any other required report to avoid multiplicity
12 of reports.

13 (d) If the agency determines information provided under
14 Subsection (b) would create a security risk, such information is
15 considered confidential for purposes of Chapter 552, Government
16 Code, and may not be disclosed in the annual report under Subsection
17 (c).

18 (e) The commissioner may adopt rules as necessary to
19 implement this section. In adopting rules for determining the
20 student capacity of a school district or district campus, the
21 commissioner may consider the staffing, student-teacher ratio, and
22 facility capacity of the district or campus.

23 SECTION 7.02. Section 12.106, Education Code, is amended by
24 amending Subsections (a), (a-2), (d), (e), and (f) and adding
25 Subsections (e-1), (e-2), and (f-1) to read as follows:

26 (a) A charter holder is entitled to receive for the
27 open-enrollment charter school funding under Chapter 48 equal to

1 the amount of funding per student in weighted average daily
2 attendance to which the charter holder would be entitled for the
3 school under that chapter if the school were a school district
4 without a tier one local share for purposes of Section 48.266,
5 excluding:

6 (1) the adjustment under Section 48.052;

7 (2) ~~[]~~ the funding under Sections 48.101 and ~~[]~~
8 ~~48.110,~~ 48.111; ~~[]~~ and ~~48.112,~~ and

9 (3) enrichment funding under Section 48.202(a) ~~[]~~
10 ~~which the charter holder would be entitled for the school under~~
11 ~~Chapter 48 if the school were a school district without a tier one~~
12 ~~local share for purposes of Section 48.266].~~

13 (a-2) In addition to the funding provided by Subsection (a),
14 a charter holder is entitled to receive for the open-enrollment
15 charter school an allotment per student in average daily attendance
16 in an amount equal to the difference between:

17 (1) the product of:

18 (A) the quotient of:

19 (i) the total amount of funding provided to
20 eligible school districts under Section 48.101(b) or (c); and

21 (ii) the total number of students in
22 average daily attendance in school districts that receive an
23 allotment under Section 48.101(b) or (c); and

24 (B) the sum of one and the quotient of:

25 (i) the total number of students in average
26 daily attendance in school districts that receive an allotment
27 under Section 48.101(b) or (c); and

1 (ii) the total number of students in
2 average daily attendance in school districts statewide; and

3 (2) \$300 [~~\$125~~].

4 (d) Subject to Subsections [~~Subsection~~] (e) and (e-2), in
5 addition to other amounts provided by this section, a charter
6 holder is entitled to receive, for the open-enrollment charter
7 school, an annual allotment [~~funding~~] per student in average daily
8 attendance [~~in an amount~~] equal to [~~the guaranteed level of state~~
9 ~~and local funds per student per cent of tax effort under Section~~
10 ~~46.032(a) multiplied by~~] the lesser of:

11 (1) the state average interest and sinking fund tax
12 rate imposed by school districts for the current year multiplied by
13 the guaranteed level of state and local funds per student per cent
14 of tax effort under Section 46.032(a); or

15 (2) the maximum amount of the basic allotment provided
16 under Section 48.051 for the applicable school year multiplied by
17 0.06 [~~a rate that would result in a total amount to which charter~~
18 ~~schools are entitled under this subsection for the current year~~
19 ~~equal to \$60 million~~].

20 (e) Subject to Subsection (e-1), a [~~A~~] charter holder is not
21 entitled to receive funding under Subsection (d) for an
22 open-enrollment charter school [~~only~~] if the school has been
23 assigned:

24 (1) an unacceptable [~~most recent overall~~] performance
25 rating [~~assigned to the open-enrollment charter school~~] under
26 Subchapter C, Chapter 39, for the two preceding school years;

27 (2) a financial accountability performance rating

1 under Subchapter D, Chapter 39, indicating a financial performance
2 lower than satisfactory for the two preceding school years; or
3 (3) any combination of the ratings described by
4 Subdivisions (1) and (2) for the two preceding school years
5 [reflects at least acceptable performance].

6 (e-1) Subsection (e) [This subsection] does not apply to a
7 charter holder:

8 (1) during the first two years of the applicable
9 open-enrollment charter school's operation; or

10 (2) that operates a school program located at a day
11 treatment facility, residential treatment facility, psychiatric
12 hospital, or medical hospital.

13 (e-2) A charter holder is entitled to receive funding under
14 Subsection (d) for an open-enrollment charter school only if the
15 governing body of the school annually certifies in writing to the
16 agency that none of the following derives any financial benefit
17 from a real estate transaction with the school:

18 (1) an administrator, officer, or employee of the
19 school;

20 (2) a member of the governing body of the school or its
21 charter holder; or

22 (3) a person related within the third degree by
23 consanguinity or second degree by affinity, as determined under
24 Chapter 573, Government Code, to a person described by Subdivision
25 (1) or (2).

26 (f) Funds received by a charter holder under Subsection (d):

27 (1) notwithstanding any other law, may not be used to

1 pay a salary, bonus, stipend, or any other form of compensation to a
2 school superintendent or administrator serving as educational
3 leader and chief executive officer of the school; and

4 (2) may only be used:

5 (A) [~~(1)~~] to lease an instructional facility;

6 (B) [~~(2)~~] to pay property taxes imposed on an
7 instructional facility;

8 (C) [~~(3)~~] to pay debt service on bonds issued for
9 a purpose for which a school district is authorized to issue bonds
10 under Section 45.001(a)(1) or to pay for a purchase for which a
11 school district is authorized to issue bonds under that section [~~to~~
12 ~~finance an instructional facility~~]; or

13 (D) [~~(4)~~] for any other purpose related to the
14 purchase, lease, sale, acquisition, or maintenance of an
15 instructional facility.

16 (f-1) The governing body of an open-enrollment charter
17 school must comply with Chapter 551, Government Code, when
18 considering the issuance of bonds.

19 SECTION 7.03. Section 28.0211, Education Code, is amended
20 by adding Subsections (a-15) and (a-16) to read as follows:

21 (a-15) The agency shall approve high-impact tutoring
22 providers for purposes of providing accelerated or supplemental
23 instruction under this section. In approving a provider, the
24 agency shall consider the requirements under Subsection (a-4).

25 (a-16) In contracting with a high-impact tutoring provider
26 approved by the agency under Subsection (a-15), a school district
27 may use an outcomes-based contract. The agency may approve an

1 instrument necessary to collect, manage, and analyze student
2 outcomes at scale for those providers.

3 SECTION 7.04. Section 29.054, Education Code, is amended by
4 adding Subsection (e) to read as follows:

5 (e) Notwithstanding Section 29.066(c), the agency may
6 require, for purposes of implementing Section 48.105, a school
7 district that is granted an exception under this section to:

8 (1) include in the district's Public Education
9 Information Management System (PEIMS) report additional
10 information specified by the agency and relating to the alternative
11 language education methods used by the district; and

12 (2) classify the alternative language education
13 methods used by the district under the Public Education Information
14 Management System (PEIMS) report as specified by the agency.

15 SECTION 7.05. Subchapter 7, Chapter 29, Education Code, is
16 amended by adding Section 29.940 to read as follows:

17 Sec. 29.940. FEDERAL GRANT ADMINISTRATION. For a federal
18 grant program under which the agency oversees and administers
19 services to nonpublic schools, the agency shall follow federal
20 disposition rules and procedures to dispose of equipment or
21 supplies that are unused or no longer needed and were previously
22 allocated to nonpublic schools participating in the grant program.

23 SECTION 7.06. Section 37.0021(d), Education Code, is
24 amended to read as follows:

25 (d) Subject to Subsection (j), the commissioner by rule
26 shall adopt procedures for the use of restraint and time-out by a
27 school district employee or volunteer or an independent contractor

1 of a district in the case of a student with a disability receiving
2 special education services under Subchapter A, Chapter 29. A
3 procedure adopted under this subsection must:

4 (1) be consistent with:

5 (A) professionally accepted practices and
6 standards of student discipline and techniques for behavior
7 management; and

8 (B) relevant health and safety standards;

9 (2) establish crisis prevention and intervention
10 training requirements for school district personnel, including:

11 (A) standards for determining which personnel,
12 including support staff and law enforcement, should receive the
13 training and the amount of training each of those individuals
14 should receive, prioritizing the amount of training and training
15 that includes physical interventions based on the individual's risk
16 of being involved in a student-involved crisis situation;

17 (B) recommendations for the minimum frequency of
18 crisis prevention and intervention training as included in the
19 continuing education and training clearinghouse published under
20 Section 21.4514; and

21 (C) provisions allowing for any training
22 required under this subsection to be combined with or substituted
23 for other related required training if a majority of the content in
24 the related training addresses content in the training required
25 under this subsection, including:

26 (i) trauma-informed care training required
27 under Section 38.036; and

1 (ii) training on strategies for
2 establishing and maintaining positive relationships among
3 students, including conflict resolution, required under Section
4 21.451(d)(3)(B) [~~identify any discipline management practice or~~
5 ~~behavior management technique that requires a district employee or~~
6 ~~volunteer or an independent contractor of a district to be trained~~
7 ~~before using that practice or technique]~~; and

8 (3) require a school district to:

9 (A) provide written notification to the
10 student's parent or person standing in parental relation to the
11 student for each use of restraint that includes:

- 12 (i) the name of the student;
- 13 (ii) the name of the district employee or
14 volunteer or independent contractor of the district who
15 administered the restraint;
- 16 (iii) the date of the restraint;
- 17 (iv) the time that the restraint started
18 and ended;
- 19 (v) the location of the restraint;
- 20 (vi) the nature of the restraint;
- 21 (vii) a description of the activity in
22 which the student was engaged immediately preceding the use of the
23 restraint;
- 24 (viii) the behavior of the student that
25 prompted the restraint;
- 26 (ix) any efforts made to de-escalate the
27 situation and any alternatives to restraint that were attempted;

1 (x) if the student has a behavior
2 improvement plan or a behavioral intervention plan, whether the
3 plan may need to be revised as a result of the behavior that led to
4 the restraint; and

5 (xi) if the student does not have a behavior
6 improvement plan or a behavioral intervention plan, information on
7 the procedure for the student's parent or person standing in
8 parental relation to the student to request an admission, review,
9 and dismissal committee meeting to discuss the possibility of
10 conducting a functional behavioral assessment of the student and
11 developing a plan for the student;

12 (B) include in a student's special education
13 eligibility school records:

14 (i) a copy of the written notification
15 provided to the student's parent or person standing in parental
16 relation to the student under Paragraph (A);

17 (ii) information on the method by which the
18 written notification was sent to the parent or person; and

19 (iii) the contact information for the
20 parent or person to whom the district sent the notification; and

21 (C) if the student has a behavior improvement
22 plan or behavioral intervention plan, document each use of time-out
23 prompted by a behavior of the student specified in the student's
24 plan, including a description of the behavior that prompted the
25 time-out.

26 SECTION 7.07. Section [37.108\(b-1\)](#), Education Code, is
27 amended to read as follows:

1 (b-1) In a school district's safety and security audit
2 required under Subsection (b), the district must certify that the
3 district used the funds provided to the district through the school
4 safety allotment under Section 48.160 [~~48.115~~] only for the
5 purposes provided by that section.

6 SECTION 7.08. Section 37.117(c), Education Code, as added
7 by Chapter 1 (S.B. 838), Acts of the 88th Legislature, Regular
8 Session, 2023, is amended to read as follows:

9 (c) To comply with this section, a school district or
10 open-enrollment charter school may:

11 (1) use funds provided to the district or school
12 through the school safety allotment under Section 48.160 [~~48.115~~]
13 or other available funds; and

14 (2) use the district's or school's customary
15 procurement process.

16 SECTION 7.09. Section 37.354(a), Education Code, is amended
17 to read as follows:

18 (a) The commissioner may authorize a school district to use
19 money provided to the district for the purpose of improving school
20 safety and security, including the school safety allotment under
21 Section 48.160 [~~48.115~~] or any other funding or grant money
22 available to the district for that purpose, to comply with the
23 requirements of this subchapter.

24 SECTION 7.10. Subchapter A, Chapter 48, Education Code, is
25 amended by adding Section 48.011 to read as follows:

26 Sec. 48.011. COMMISSIONER AUTHORITY TO RESOLVE UNINTENDED
27 CONSEQUENCES. (a) Subject to Subsection (b), the commissioner

1 may, as necessary to implement changes made by the legislature to
2 public school finance, including under this chapter or Chapter 45,
3 46, or 49, and school district ad valorem taxes:

4 (1) adjust a school district's entitlement if the
5 funding formulas used to determine the district's entitlement
6 result in an unanticipated loss, gain, or other result for a school
7 district; and

8 (2) modify dates relating to the adoption of a school
9 district's maintenance and operations tax rate and, if applicable,
10 an election required for the district to adopt that tax rate.

11 (b) Before making an adjustment under Subsection (a), the
12 commissioner shall notify and must receive approval from the
13 Legislative Budget Board and the office of the governor.

14 (c) If the commissioner makes an adjustment under
15 Subsection (a), the commissioner must provide to the legislature an
16 explanation regarding the changes necessary to resolve the
17 unintended consequences.

18 (d) This section expires September 1, 2027.

19 SECTION 7.11. Subchapter A, Chapter 48, Education Code, is
20 amended by adding Section 48.014 to read as follows:

21 Sec. 48.014. NOTICE FOR SCHOOL DISTRICTS REGARDING RECOURSE
22 FOR INVALID PROPERTY VALUES. (a) This section applies only to a
23 school district located in an appraisal district in which the
24 comptroller has certified the preliminary findings of the school
25 district property value study under Section 403.302(g), Government
26 Code, and determined that a school district located in the
27 appraisal district has an invalid local value, regardless of

1 whether the district meets the definition of an eligible school
2 district under Section 403.3011, Government Code.

3 (b) For each school district to which this section applies
4 and as soon as practicable after the comptroller has certified the
5 preliminary findings of the school district property value study
6 under Section 403.302(g), Government Code, the commissioner shall
7 provide notice to the board of trustees of the district that
8 includes information regarding the impact or possible impact of a
9 final certification of an invalid local value on the district's
10 finances, including:

11 (1) an estimate of the effect on the district's
12 finances; and

13 (2) any right of recourse available to the district.

14 (c) Each school district shall annually report to the agency
15 contact information for the members of the district's board of
16 trustees for purposes of receiving the notice under this section.

17 (d) The commissioner shall coordinate with the comptroller
18 to provide copies of the notice under this section to the board of
19 directors of each applicable appraisal district.

20 SECTION 7.12. Section 48.051(a), Education Code, is amended
21 to read as follows:

22 (a) For each student in average daily attendance, not
23 including the time students spend each day in career and technology
24 education programs or in special education programs in a setting
25 [~~an instructional arrangement~~] other than a general education
26 setting [~~mainstream or career and technology education programs~~],
27 for which an additional allotment is made under Subchapter C, a

1 school district is entitled to an allotment equal to the lesser of
2 the amounts that result from the following formulas:

3 (1) A = \$6,160 + GYIA; or [~~the amount that results from~~
4 ~~the following formula.~~]

5 (2) A = (\$6,160 + GYIA) X TR/MCR

6 where:

7 "A" is the allotment to which a district is entitled;

8 "GYIA" is the guaranteed yield increment adjustment
9 determined under Section 48.2561;

10 "TR" is the district's tier one maintenance and operations
11 tax rate, as provided by Section 45.0032; and

12 "MCR" is the district's maximum compressed tax rate, as
13 determined under Section 48.2551.

14 SECTION 7.13. Section 48.101, Education Code, is amended to
15 read as follows:

16 Sec. 48.101. SMALL AND MID-SIZED DISTRICT ALLOTMENT. (a)
17 Small and mid-sized districts are entitled to an annual allotment
18 in accordance with this section. In this section:

19 (1) "AA" is the district's annual allotment per
20 student in average daily attendance;

21 (2) "ADA" is the number of students in average daily
22 attendance for which the district is entitled to an allotment under
23 Section 48.051, other than students in average daily attendance who
24 do not reside in the district and are enrolled in a full-time
25 virtual program; and

26 (3) "BA" is the basic allotment determined under
27 Section 48.051.

1 (b) A school district that has fewer than 1,600 students in
2 average daily attendance is entitled to an annual allotment for
3 each student in average daily attendance based on the following
4 formula:

5
$$AA = ((1,600 - ADA) \times \underline{.00046} [\text{~~-.0004~~}]) \times BA$$

6 (c) A school district that offers a kindergarten through
7 grade 12 program and has less than 5,000 students in average daily
8 attendance is entitled to an annual allotment for each student in
9 average daily attendance based on the formula, of the following
10 formulas, that results in the greatest annual allotment:

11 (1) the formula in Subsection (b), if the district is
12 eligible for that formula; or

13 (2)
$$AA = ((5,000 - ADA) \times \underline{.00003} [\text{~~-.000025~~}]) \times BA.$$

14 (d) Instead of the allotment under Subsection (b) or (c)(1),
15 a school district that has fewer than 300 students in average daily
16 attendance and is the only school district located in and operating
17 in a county is entitled to an annual allotment for each student in
18 average daily attendance based on the following formula:

19
$$AA = ((1,600 - ADA) \times \underline{.0005} [\text{~~-.00047~~}]) \times BA$$

20 SECTION 7.14. Section 48.105, Education Code, is amended by
21 adding Subsections (a-1) and (a-2) and amending Subsection (b) to
22 read as follows:

23 (a-1) The agency shall review school districts that offer
24 alternative language education methods approved by the agency under
25 Section 29.054(d) and approve districts to receive the allotment
26 under Subsection (a-2) for that biennium in a manner that provides
27 not more than \$10 million total under the allotment to school

1 districts in each biennium. In approving school districts to
2 receive the allotment under this subsection, the agency shall, to
3 the extent possible, approve eligible school districts from a
4 cross-section of this state.

5 (a-2) For each student in average daily attendance in an
6 alternative language education method approved by the agency under
7 Section 29.054(d), and offered by a school district approved to
8 receive the allotment under Subsection (a-1), the district is
9 entitled to an annual allotment equal to the basic allotment
10 multiplied by:

11 (1) 0.15 for an emergent bilingual student, as defined
12 by Section 29.052, if the student is in an alternative language
13 education method using a dual language immersion/one-way or two-way
14 program model; and

15 (2) 0.05 for a student not described by Subdivision
16 (1), if the student is in an alternative language education method
17 using a dual language immersion/one-way or two-way program model.

18 (b) At least 55 percent of the funds allocated under this
19 section must be used in providing bilingual education or special
20 language programs under Subchapter B, Chapter 29. A district's
21 bilingual education or special language allocation may be used only
22 for program and student evaluation, instructional materials and
23 equipment, staff development, supplemental staff expenses, teacher
24 salaries [~~salary supplements for teachers~~], incremental costs
25 associated with providing smaller class sizes, and other supplies
26 required for quality instruction.

27 SECTION 7.15. Section 48.115, Education Code, is

1 transferred to Subchapter D, Chapter 48, Education Code,
2 redesignated as Section 48.160, Education Code, and amended to read
3 as follows:

4 Sec. 48.160 [~~48.115~~]. SCHOOL SAFETY ALLOTMENT. (a)
5 Except as provided by Subsection (a-1), a school district is
6 entitled to an annual allotment equal to the sum of the following
7 amounts or a greater amount provided by appropriation:

8 (1) \$20 [~~\$10~~] for each student in average daily
9 attendance, plus \$1 for each student in average daily attendance
10 per every \$50 by which the district's maximum basic allotment under
11 Section 48.051 exceeds \$6,160, prorated as necessary; and

12 (2) \$33,540 [~~\$15,000~~] per campus.

13 (a-1) A school district campus that provides only virtual
14 instruction or utilizes only facilities not subject to the
15 district's control is not included for purposes of determining a
16 school district's allotment under Subsection (a).

17 (b) Funds allocated under this section must be used to
18 improve school safety and security, including costs associated
19 with:

20 (1) securing school facilities in accordance with the
21 requirements of Section 37.351, including:

22 (A) improvements to school infrastructure;

23 (B) the use or installation of perimeter security
24 fencing conducive to a public school learning environment or
25 physical barriers, which may not include razor wire;

26 (C) exterior door and window safety and security
27 upgrades, including exterior door numbering and locking systems and

1 security film that provides resistance to a forced entry; and

2 (D) the purchase and maintenance of:

3 (i) security cameras and, if the district
4 has already installed security cameras, other security equipment,
5 including video surveillance as provided by Section 29.022; and

6 (ii) technology, including communications
7 systems or devices, such as silent panic alert devices, two-way
8 radios, or wireless Internet booster equipment, that facilitates
9 communication and information sharing between students, school
10 personnel, and first responders in an emergency;

11 (2) providing security for the district, including:

12 (A) employing school district peace officers,
13 private security officers, and school marshals; and

14 (B) collaborating with local law enforcement
15 agencies, such as entering into a memorandum of understanding for
16 the assignment of school resource officers to schools in the
17 district;

18 (3) school safety and security measures, including:

19 (A) active shooter and emergency response
20 training;

21 (B) prevention and treatment programs relating
22 to addressing adverse childhood experiences; and

23 (C) the prevention, identification, and
24 management of emergencies and threats, using evidence-based,
25 effective prevention practices and including:

26 (i) providing licensed counselors, social
27 workers, chaplains, and individuals trained in restorative

1 discipline and restorative justice practices;

2 (ii) providing mental health personnel and
3 support, including chaplains;

4 (iii) providing behavioral health
5 services, including services provided by chaplains;

6 (iv) establishing threat reporting
7 systems; and

8 (v) developing and implementing programs
9 focused on restorative justice practices, culturally relevant
10 instruction, and providing mental health support, including
11 support provided by chaplains;

12 (4) providing programs related to suicide prevention,
13 intervention, and postvention, including programs provided by
14 chaplains; and

15 (5) employing a school safety director and other
16 personnel to manage and monitor school safety initiatives and the
17 implementation of school safety requirements for the district.

18 (b-1) The agency may designate certain technologies that a
19 school district, in using funds allocated under this section, may
20 purchase only from a vendor approved by the agency.

21 (b-2) If the agency, in coordination with the Texas School
22 Safety Center, determines that entering into a statewide contract
23 with a vendor for the provision of a technology designated under
24 Subsection (b-1) would result in cost savings to school districts,
25 the agency may, after receiving approval from the Legislative
26 Budget Board and office of the governor, enter into a contract with
27 a vendor to provide the technology to each district that uses funds

1 allocated under this section to purchase that technology.

2 (c) A school district may use funds allocated under this
3 section for equipment or software that is used for a school safety
4 and security purpose and an instructional purpose, provided that
5 the instructional use does not compromise the safety and security
6 purpose of the equipment or software.

7 (c-1) The agency, or if designated by the agency, the Texas
8 School Safety Center, shall establish and publish a directory of
9 approved vendors of school safety technology and equipment a school
10 district may select from when using funds allocated under this
11 section. If a school district uses funds allocated under this
12 section to purchase technology or equipment from a vendor that is
13 not included in the directory, the district must solicit bids from
14 at least three vendors before completing the purchase.

15 (d) The commissioner shall annually publish a report
16 regarding funds allocated under this section including the
17 programs, personnel, and resources purchased by districts using
18 funds under this section and other purposes for which the funds were
19 used.

20 (e) Notwithstanding any other law, a school district may use
21 funds allocated under this section to provide training to a person
22 authorized by the district to carry a firearm on a district campus.

23 SECTION 7.16. Subchapter D, Chapter 48, Education Code, is
24 amended by adding Section 48.161 to read as follows:

25 Sec. 48.161. ALLOTMENT FOR BASIC COSTS. (a) A school
26 district is entitled to an annual allotment of \$106 for each student
27 enrolled in the district.

1 (b) Money allocated under this section may be used only to
2 pay costs associated with:

3 (1) transportation;

4 (2) hiring retired teachers;

5 (3) providing health insurance and employee benefits
6 and paying for payroll taxes;

7 (4) contributions and other costs under Subchapter E,
8 Chapter 825, Government Code;

9 (5) utilities; and

10 (6) property and casualty insurance.

11 SECTION 7.17. Section 48.202, Education Code, is amended by
12 amending Subsection (a-1) and adding Subsection (e-2) to read as
13 follows:

14 (a-1) For purposes of Subsection (a), the dollar amount
15 guaranteed level of state and local funds per weighted student per
16 cent of tax effort ("GL") for a school district is:

17 (1) ~~[the greater of the amount of district tax revenue~~
18 ~~per weighted student per cent of tax effort available to a school~~
19 ~~district at the 96th percentile of wealth per weighted student or]~~
20 the amount that results from multiplying the maximum amount of the
21 basic allotment provided under Section 48.051 for the applicable
22 school year ~~[6,160, or the greater amount provided under Section~~
23 ~~48.051(b), if applicable,]~~ by 0.02084 ~~[0.016]~~, for the first eight
24 cents by which the district's maintenance and operations tax rate
25 exceeds the district's tier one tax rate; and

26 (2) ~~[subject to Subsection (f),]~~ the amount that
27 results from multiplying the maximum amount of the basic allotment

1 provided under Section 48.051 for the applicable school year
2 [\$6,160, or the greater amount provided under Section 48.051(b), if
3 applicable,] by 0.008, for the district's maintenance and
4 operations tax effort that exceeds the amount of tax effort
5 described by Subdivision (1).

6 (e-2) For purposes of this section, the total amount of
7 maintenance and operations taxes collected by a school district not
8 required to reduce its local revenue level under Section 48.257
9 includes the amount of tax revenue received from a county-wide
10 equalization tax.

11 SECTION 7.18. Subchapter F, Chapter 48, Education Code, is
12 amended by adding Section 48.2561 to read as follows:

13 Sec. 48.2561. GUARANTEED YIELD INCREMENT ADJUSTMENT. (a)
14 Not later than October 1 of each even-numbered year, for the
15 subsequent state fiscal biennium, the agency shall determine the
16 amount of the guaranteed yield increment adjustment for each state
17 fiscal year of the biennium. The amount of the guaranteed yield
18 increment adjustment is the difference between:

19 (1) the estimated cost to the state of maintaining the
20 guaranteed level of state and local funds per weighted student per
21 cent of tax effort under Section 48.202(a-1)(1) at the 96th
22 percentile of wealth per weighted student for each year of the
23 biennium; and

24 (2) the state cost of maintaining the guaranteed level
25 of state and local funds per weighted student per cent of tax effort
26 at the amount provided by Section 48.202(a-1)(1).

27 (b) Notwithstanding Subsection (a), the amount of the

1 guaranteed yield increment adjustment for each state fiscal year of
2 the state fiscal biennium beginning September 1, 2025, is \$55. This
3 subsection expires September 1, 2027.

4 SECTION 7.19. Section 48.266, Education Code, is amended by
5 amending Subsection (b) and adding Subsection (b-1) to read as
6 follows:

7 (b) Except as provided by this subsection and subject to
8 Subsection (b-1), the commissioner shall base the determinations
9 under Subsection (a) on the estimates provided to the legislature
10 under Section 48.269, or, if the General Appropriations Act
11 provides estimates for that purpose, on the estimates provided
12 under that Act, for each school district for each school year. The
13 commissioner shall reduce the entitlement of each district that has
14 a final taxable value of property for the second year of a state
15 fiscal biennium that is higher than the estimate under Section
16 48.269 or the General Appropriations Act, as applicable. A
17 reduction under this subsection may not reduce the district's
18 entitlement below the amount to which it is entitled at its actual
19 taxable value of property.

20 (b-1) Periodically throughout the school year, the
21 commissioner shall adjust the determinations made under Subsection
22 (a) to reflect current school year estimates of a district's
23 enrollment and average daily attendance, based on attendance
24 reporting for each six-week interval.

25 SECTION 7.20. Section 48.283, Education Code, is amended to
26 read as follows:

27 Sec. 48.283. ADDITIONAL STATE AID FOR CERTAIN DISTRICTS

1 IMPACTED BY COMPRESSION. A school district that received an
2 adjustment under Section 48.257(b) as that subsection existed on
3 September 1, 2024, for the 2022-2023 school year is entitled to
4 additional state aid [~~for each school year~~] in an amount equal to
5 [~~the amount of that adjustment for the 2022-2023 school year less~~]
6 the difference, if the difference is greater than zero, between:

7 (1) [~~the amount to which the district is entitled~~
8 ~~under this chapter for the current school year; and~~

9 [~~(2)~~] the amount of state and local revenue that would
10 have been available to [which] the district [would be entitled]
11 under this chapter and Chapter 49 for the current school year if the
12 district's maximum compressed tax rate had not been reduced under
13 Section 48.2555, as added by S.B. 2, Acts of the 88th Legislature,
14 2nd Called Session, 2023; and

15 (2) the amount of state and local revenue available to
16 the district under this chapter and Chapter 49 for the current
17 school year.

18 SECTION 7.21. Subchapter F, Chapter 48, Education Code, is
19 amended by adding Section 48.284 to read as follows:

20 Sec. 48.284. ADDITIONAL STATE AID FOR REGIONAL INSURANCE
21 COST DIFFERENTIALS. (a) In this section, "catastrophe area" and
22 "first tier coastal county" have the meanings assigned by Section
23 2210.003, Insurance Code.

24 (b) This section applies to a school district or
25 open-enrollment charter school that has the following property
26 located in a first tier coastal county or an area designated in 2024
27 as a catastrophe area:

1 (1) the central administrative office of the district
2 or school; and

3 (2) a majority of campuses of the district or school.

4 (c) A school district or open-enrollment charter school to
5 which this section applies is entitled to additional state aid for
6 each student in adjusted average daily attendance in an amount
7 equal to 80 percent of the difference between, for the 2023-2024
8 school year, or a different school year specified by appropriation:

9 (1) the total amount paid for property and casualty
10 insurance by districts and schools in the county or catastrophe
11 area described by Subsection (b) in which the district's or school's
12 property is located divided by the total number of students in
13 average daily attendance for all districts and schools in the
14 county or catastrophe area; and

15 (2) the total amount paid for property and casualty
16 insurance by districts and schools in the state divided by the total
17 number of students in average daily attendance in the state.

18 (d) For purposes of Subsection (c), the average daily
19 attendance of a school district that qualifies for, or an
20 open-enrollment charter school that if the school were a school
21 district would qualify for, an allotment under Section 48.101 is
22 the district's or school's average daily attendance multiplied by
23 the sum of one and:

24 (1) for a school district, the district's annual
25 allotment per student in average daily attendance under that
26 section divided by the basic allotment; or

27 (2) for an open-enrollment charter school, the

1 school's allotment determined per student in average daily
2 attendance under Section 12.106(a-2) divided by the basic
3 allotment.

4 SECTION 7.22. Subchapter F, Chapter 48, Education Code, is
5 amended by adding Section 48.285 to read as follows:

6 Sec. 48.285. ADDITIONAL STATE AID TO ENSURE FUNDING OF
7 RETENTION ALLOTMENTS. (a) For the 2025-2026 and 2026-2027 school
8 years, a school district is entitled to additional state aid each
9 year equal to the amount, if the amount is greater than zero, that
10 the district is entitled to under Sections 48.158 and 48.1581 less
11 the amount that results from subtracting the amount of funding the
12 district was entitled to under this chapter and Chapter 49 as those
13 chapters existed on September 1, 2024, from the funding the
14 district is entitled to under this chapter and Chapter 49 for the
15 current year.

16 (b) This section expires September 1, 2028.

17 SECTION 7.23. Section 26.08(n), Tax Code, is amended to
18 read as follows:

19 (n) For purposes of this section, the voter-approval tax
20 rate of a school district is the sum of the following:

21 (1) the rate per \$100 of taxable value that is equal to
22 the district's maximum compressed tax rate, as determined under
23 Section 48.2551, Education Code, for the current year;

24 (2) the greater of:

25 (A) the district's enrichment tax rate for the
26 preceding tax year [~~less any amount by which the district is~~
27 ~~required to reduce the district's enrichment tax rate under Section~~

1 ~~48.202(f), Education Code, in the current tax year]; or~~

2 (B) the rate of \$0.05 per \$100 of taxable value;

3 and

4 (3) the district's current debt rate.

5 SECTION 7.24. The following provisions of the Education
6 Code are repealed:

7 (1) Sections 48.104(j-1), (k), (l), (m), (n), and (o);

8 and

9 (2) Section 48.202(f).

10 SECTION 7.25. To the extent of any conflict between the
11 changes made to the Education Code by this article and the changes
12 made to the Education Code by another Act of the 89th Legislature,
13 Regular Session, 2025, the changes made by this article prevail.

14 SECTION 7.26. This article takes effect September 1, 2025.

President of the Senate

Speaker of the House

I certify that H.B. No. 2 was passed by the House on April 17, 2025, by the following vote: Yeas 142, Nays 5, 0 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2 on May 29, 2025, by the following vote: Yeas 122, Nays 13, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2 was passed by the Senate, with amendments, on May 23, 2025, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor